

# **FEDERAL PROGRAMS**

Missouri Department of Elementary and Secondary Education

## **HOMELESS CHILDREN AND YOUTH GRANT PROGRAM**

TITLE X – C MCKINNEY-VENTO HOMELESS ASSISTANCE ACT

SUBTITLE VII-B (SECTIONS 721-726)  
AS AMENDED BY THE  
NO CHILD LEFT BEHIND ACT OF 2001  
(PUBLIC LAW 107-110)

TITLE IX-Part A MCKINNEY-VENTO HOMELESS ASSISTANCE ACT

SUBTITLE VII-B  
AS AMENDED BY THE  
EVERY STUDENT SUCCEEDS ACT OF 2015  
(PUBLIC LAW 114-95)

Federal Programs  
205 Jefferson Street, P.O. Box 480  
Jefferson Building 7<sup>th</sup> Floor  
Jefferson City, MO 65102-0480  
Phone: 573-751-3468 Fax: 573-526-6698  
<http://dese.mo.gov/quality-schools/federal-programs/homeless-children-youth>

Dr. Margie Vandeven, Commissioner  
Craig Rector, Coordinator, Federal Grants & Resources  
Julia Cowell, Director, Federal Programs  
Donna Cash, Coordinator, McKinney-Vento Homeless Children and Youth Program

# **2016-2017 Administrative Manual**

On December 10, 2015, the President signed into law the Every Student Succeeds Act of 2015 (ESSA), which reauthorizes the Elementary and Secondary Education Act (ESEA). Under the previous version of ESEA (the No Child Left Behind Act), the education of homeless children and youth was included in Title X, Part C. Under ESSA, homeless education is included in Title IX, Part A.

The McKinney-Vento portion of ESSA may take effect on July 1, 2016, or October 1, 2016; once the U.S. Department of Education clarifies this issue, DESE will update their McKinney-Vento homepage

Please check DESEs webpage frequently for updates as we implement the new law.

<http://dese.mo.gov/quality-schools/federal-programs/homeless-children-youth>

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# 2016-2017 TIMELINE FOR FEDERAL PROGRAMS HOMELESS CHILDREN AND YOUTH GRANT PROGRAM

Julia Cowell, Director, Federal Programs  
Phone: (573) 751-3468

Donna Cash, Coordinator, Homeless Children and Youth Program  
Phone: (573) 522-8763  
Fax: (573) 526-6698  
E-mail: [donna.cash@dese.mo.gov](mailto:donna.cash@dese.mo.gov)

Timeline	
Application Webinar	April 2016
Letter of Announcement (If required by your LEA)	April 2016
Application Postmark* Deadline	<b><i>Tuesday, May 24, 2016</i></b>
Grant Reading	June 2016
Grant Award Announcements	June 20-30, 2016
Project Starting Date	July 1, 2016
Project Ending Date	June 30, 2017
Project Evaluation Reports Due	July 31, 2017
Final Expenditure Report Due	July 31, 2017
Records May Be Destroyed	July 1, 2022
Grant Contact	Donna Cash 573-522-8763 <a href="mailto:donna.cash@dese.mo.gov">donna.cash@dese.mo.gov</a>

*\*The original application and 3 copies **must** be postmarked no later than **May 24, 2016**.*

***No electronic copies or faxes of applications will be accepted.***

## **APPLICATION INFORMATION**

### **INTRODUCTION**

Applicants should review this Administrative Manual as well as the application for the Federal Programs Homeless Children and Youth Grant. The application alone does not contain all instructions and information needed to complete the grant application.

The full text of the McKinney-Vento Homeless Assistance Act is posted on the Department of Elementary and Secondary Education (DESE's) website at:

<http://dese.mo.gov/quality-schools/federal-programs/homeless/legislation-guidance>

This Administrative Manual provides administrative information for the following federal programs:

- Homeless Children and Youth Grant Program

We have made a sincere effort to simplify the Local Educational Agencies (LEAs) submission of required information and to make the application procedure more accessible through a web document which can be downloaded, completed, and **returned as a paper copy**. This grant program is not available electronically.

### **PURPOSE**

The purpose of the McKinney-Vento Subgrant Program is to facilitate the enrollment, attendance and school success of homeless children and youth. Services provided **must not replace** the regular academic program and must be designed to expand upon or improve services already provided under the LEA requirements for serving homeless students.

### **ELIGIBLE APPLICANTS**

Individual LEAs or a consortium (with one LEA acting as the fiscal agent), are eligible to apply. Consortium applications should include all LEA members, including the liaison and administrative contacts for each LEA.

### **SINGLE LEA AND CONSORTIA APPLICATIONS**

LEAs may apply for a single LEA subgrant while also being a member of a consortium application comprised of a number of LEAs under one fiscal agent. A LEA **may not** be the fiscal agent of more than one application. In the event an LEA and its consortium both receive awards, the consortium will have the opportunity to revise its budget to take into account the district's subgrant award and redistribute funds to other LEAs if desired. All applications, whether from a single LEA or a consortium, will be evaluated with equal weight using the same criteria involving the needs of homeless children and youth in the area and the overall quality of application.

### **FISCAL AND COMPLIANCE AUDITS**

All LEAs must arrange for an independent audit of their records, at least biennially and provide a copy of the audit to DESE's School Finance Section by October 31 following the audit period.

### **EXCLUSION OF APPLICATIONS**

Applications may be excluded from the McKinney-Vento Subgrant Program competition for any one of these reasons:

1. A hand-delivered or postmarked grant application was made after the deadline due date.
2. A LEA has applied as fiscal agent for more than one application.
3. A LEA has failed to maintain maintenance of fiscal effort (MOE).

4. A consortium application includes a LEA without receiving permission from the Superintendent or designated fiscal representative from each LEA listed in the consortium application.
5. The grant application scores a zero in any one grant category.

### **AVAILABLE FUNDING OF SUBGRANT**

Pending receipt of federal funding, grantees that are recommended for funding will be awarded and funded for the 2016-17 school year. Grantees will receive funding *pending the availability of federal funds and will continue to receive funding under this grant program if subgrantees meet all the required components for this grant program.*

### **SIZE OF SUBGRANTS**

LEAs and consortiums may apply for funding based on the number of homeless children and youth being educated in the LEA(s) up to a maximum level at \$400 per homeless child. The minimum grant award is \$8,000 (20 students). The maximum amount any LEA or consortium may apply for is \$150,000 (375+ students) regardless of the number of homeless children and youth being educated in the LEA(s).

### **USE OF FUNDS**

In addition to fulfilling LEA requirements and liaison duties under the McKinney-Vento Act, Section 722(g), there are 16 authorized activities for which subgrant program funds may be used. These 16 activities are listed in the McKinney-Vento Act, which, is reprinted in Appendix D of this Administrative Manual. They are also listed on page 16 of this manual.

### **DURATION OF SUBGRANTS**

Program grant awards will start on July 1, 2016. The grant period ends June 30, 2017. Any funding not used by an LEA must be returned to DESE.

### **APPLICATION LENGTH AND FORMAT**

**Do not** include a cover letter or send the instructions back with the application.

Applications submitted should start with page one of the application and conclude with the budget grid on page 11. For single district applications, the limit of submitted pages is 35, including all application forms, letters of support, and typed narratives. A consortia application may add one additional page for a district membership roster, for a total of 36 submitted pages. This will allow grant applicants the opportunity to include five letters of support. **Letters of support are not part of the scoring rubric and are not a requirement for the grant application process.**

#### **Application Format:**

- 1-inch margins (except forms)
- 35 page maximum (including the application form) 36 page maximum for consortia applications
- Narratives: 12 point font
- Application Forms: Use the provided PDF formatting only
- Font: Times New Roman
- Double-spaced, one-sided pages
- Paper clip original
- Provide 3 copies, stapled on the upper left corner
- Do not submit a cover letter or extra attachments
- No notebooks or binders should be submitted

## **APPLICATION**

LEAs applying for Homeless Children and Youth funding must submit a paper application. **Funds may not be obligated for a given year until July 1 or the date a substantially approvable grant notification is sent to the LEA from DESE.**

To be eligible to compete for a Homeless Children and Youth Grant, a LEA or consortium must have at least 20 identified homeless students. **The LEA or consortium must submit an application with three additional copies with a signed assurances page (original signature—in blue ink).** *No electronic or faxed copies of the grant application will be accepted.*

**All** required components are to be received by DESE at the same time and must be available for DESE staff and grant readers by the deadline of May 24, 2016.

## **BUDGET AMENDMENTS**

A LEA or consortium may amend the approved budget throughout the year. DESE will not accept written requests for pre-approvals. Grant recipients are allowed to move 10% of their **total** budget within the budget categories without submitting an amendment. No amendment would be needed to move money within the category between budgeted items. **New expenditures (items) or activities may not be added to the approved budget.**

## **ENDING DATE OF PROJECT**

**All project activities and obligations must be concluded by June 30, 2017.** There are no carryover funds for this grant program.

## **FINAL EXPENDITURE REPORT (FER)**

A LEA or Consortium with an approved grant application must submit a final expenditure report (FER) 30 days after the ending date of the project. FERs must reflect the actual expenditures/obligations which have been incurred for the grant project. LEAs are allowed to submit revised FERs for federal programs. The FER in ePeGS should reflect what was submitted in the approved budget. Expenditures will be reported by both object and function codes. Expenditures in approved object codes may not exceed 10 percent of the total amount budgeted within each of the approved programs.

## **REQUIRED DATA COLLECTION AND REPORTS**

Federal compliance requires a project evaluation of this grant program. At the end of the funded school year and no later than 30 days after the ending date of the project, subgrantees will be required to submit a Project Evaluation Report to DESE.

Project Evaluation Reports are used to monitor compliance and ensure programs are meeting performance goals. Reporting is also a method for self-evaluation. Program staff should examine interim student performance and attendance data regularly to determine whether activities are successful in improving attendance and academic performance among homeless students. If improved student performance is not reflected in data, program activities may need revision. Project Evaluation Reports should include data and narratives. **Narratives should be at least 3 pages in length, and be submitted to the State Coordinator no later than 30 days after the project ending date of June 30<sup>th</sup>.**



## **TITLE I.A SET-ASIDES AND OTHER BUDGETARY SUPPORT**

Contributions to project budgets from other sources such as other public funds or services, foundations, donations (whether cash or in-kind assistance), increase the competitiveness of applications and helps to assure district compliance with rules against supplanting.

Districts receiving Title I.A funds must reserve (set-aside) a portion of their total district allocation for services to homeless students. For further guidance on the Title I.A Homeless set-aside, please see pages 22-23.

## **PROVISION OF SERVICES**

Under Section 723 of the McKinney-Vento Act, in general, services provided under McKinney-Vento Subgrant Programs;

- may be provided through programs on school grounds or at other facilities;
- shall, to the maximum extent practical, be provided through existing programs and mechanisms that integrate homeless children and youths with non-homeless children and youths; and
- shall be designed to expand or improve services provided as part of a district's regular academic program, but not to replace such services provided under that program.

## **REQUIREMENTS TO PROVIDE HOMELESS EDUCATION TRAINING**

Each year, funded subgrantees will be obligated to host at least one training event. This training should be made available to other LEAs at no cost. Such training could include peer support, basic liaison duties, district responsibilities, best practices, networking and may also include information on related subjects (e.g., screening and assessment services for early intervention, working with unaccompanied youths, completion of college financial aid applications). This training must be documented with agendas and sign-in sheets.

## **OBLIGATION OF FUNDS**

LEAs may use grant funds only for obligations (encumbrances) made during the grant period. The following table shows when an obligation is made for various kinds of property and services.

<b>IF THE OBLIGATION IS FOR...</b>	<b>THEN THE OBLIGATION IS MADE...</b>
Acquisition of real or personal property.	On the date on which the subgrantee makes a binding written commitment to acquire the property.
Personal services by an employee of the subgrantee.	When the services are performed.
Personal services by a contractor who is not an employee of the subgrantee.	On the date on which the subgrantee makes a binding written commitment to obtain the services.
Performance of work other than personal services.	On the date on which the subgrantee makes a binding written commitment to obtain the work.
Public utility services.	When the subgrantee receives the services.
Travel.	When the travel is taken (exception: registrations when obligated/committed.)
Rental of real or personal property.	When the subgrantee uses the property.
A pre-agreement cost that was properly approved by the State under the cost principles.	On the first day of the project period.

## **DOCUMENTATION RELATED TO PAYMENT OF STAFF**

All federally funded FTEs must be submitted in Core Data/MOSIS. FTEs must be consistent with the grant application. LEAs must keep documentation, such as time and effort logs or classroom schedules, for partial FTEs and for individuals receiving stipends.

## **SEMI-ANNUAL CERTIFICATION**

Where employees are expected to work solely on a single federal award or cost objective, charges for their salaries and wages will be supported by the completion of the Semi-Annual Certification Form. These certifications will be signed at least semi-annually by the employee or supervisory official having first-hand knowledge of the work performed by the employee. LEAs should keep these forms on file to certify that staff funded with federal funds are conducting activities consistent with the purposes of the funding sources.

The suggested language for this may be found at:

<http://dese.mo.gov/sites/default/files/fas-SemiAnnualTimeCertification-OMB-A-87.pdf>

## **TIME AND EFFORT**

Personnel Activity Reports (PAR) must be maintained for FTEs who work for more than one cost objective, including those funded through Administration Pool and for stipends and out-of- contract time paid. The PAR can be found at: <http://dese.mo.gov/sites/default/files/fas-PersonnelActivityReport-OMB-A-87.xls>

## **SUBSTITUTE SYSTEM FOR TIME AND EFFORT**

State Educational Agencies (SEAs) are authorized to approve LEAs to use a substitute system for time-and-effort reporting in accordance with the following guidelines. In permitting an LEA to use the substitute system, the SEA must obtain from the LEA a management certification certifying that only eligible employees will participate in the substitute system and that the system used to document employee work schedules includes sufficient controls to ensure that the schedules are accurate. The substitute system can be found at: [http://dese.mo.gov/sites/default/files/dac\\_forms/MO5003042.pdf](http://dese.mo.gov/sites/default/files/dac_forms/MO5003042.pdf)

## **PAYMENT**

Starting with Fiscal Year 2009, each eligible recipient serving as a fiscal agent will be responsible for submitting payment requests to DESE through ePeGS. Districts may register for access to ePeGS at: <https://apps.dese.mo.gov/webLogin/Register.aspx> Additional Finance Topics and Procedures can be found at: <http://dese.mo.gov/financial-admin-services/school-finance/finance-topics-procedures>

## **INDIRECT AND ADMINISTRATIVE COSTS**

**The Homeless Children and Youth Grant Program allows for indirect costs.** However, administrative costs and indirect costs combined **cannot exceed 5 percent** of the LEAs total proposed budget. If indirect cost is applied, the LEAs restricted rate must be used. Indirect costs are calculated by multiplying total direct costs (less costs for capital outlay and interest) by the approved LEAs restricted indirect cost rate. In addition, all administrative costs must comply with the Office of Management and Budget Circular A-87 (Cost Principles for State, Local and Indian Tribal Governments). That Circular can be found at: [http://www.whitehouse.gov/sites/default/files/omb/assets/agencyinformation\\_circulars\\_pdf/a87\\_2004.pdf](http://www.whitehouse.gov/sites/default/files/omb/assets/agencyinformation_circulars_pdf/a87_2004.pdf)

## **ACCOUNTING REQUIREMENTS**

**Separate and identifiable accounting records** for receipts and expenditures in each program must be maintained. Records of both obligations and expenditures are to be kept separately by expenditure code. If staff are paid with grant funds (stipends for workshop attendance or hourly rates for out-of-contract time), there must be documentation of time for payment purposes (sign-in forms for workshops and hours listed for out-of-contract time).

**Funds from Homeless Children and Youth Program cannot be placed in an administrative pool or school wide program.** When funds are used in an administrative pool or a school wide-program however, the LEA must develop a separate source code for reporting expenses to each of these fiscal strands.

## REVENUE CODES

The following revenue code should be used by LEAs for discretionary funds received from the federal government through DESE:

Homeless Children and Youth Program	5463
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## PROGRAM RECORDS

All records must be retained:

- for three years after the close of the fiscal year in which funds were expended.
- until any pending audits have been completed.
- until all findings and recommendations arising from audits or monitoring have been completely resolved.

## INVENTORY CONTROL

All materials and capital outlay costing \$1,000 or more per unit/set are subject to specific inventory management and control requirements as follows:

1. Items acquired using federal or state monies shall be physically marked by source of funding.
2. Inventory must be current and available for review and audit. The following information must be included:
  - a description of the property, including manufacturer's model number, if any
  - manufacturer's serial number or other identification number
  - identification of the funding source under which the property was acquired
  - acquisition date and unit cost
  - source of property (company name)
  - percentage of federal funds used in the purchase of the property
  - present location, use, condition of the property, and date the information was reported
  - all pertinent information on the ultimate transfer, replacement, or disposition of the equipment
3. Inventory must be updated as items are purged or new purchases are made.
4. Adequate safeguards must be in effect to prevent loss, damage, or theft of the property. Any loss, damage, or theft must be investigated and fully documented. The LEA is responsible for replacing or repairing lost, damaged, destroyed, or stolen property. If stolen property is not recovered, the LEA should submit copies of the investigative report and insurance claim to DESE. Replaced equipment is automatically considered property of the originally funded program and should be inventoried accordingly.
5. Adequate maintenance procedures must be implemented.
6. A physical inventory of items must be taken and the results reconciled with the inventory records at least once every two years.

## DISPOSITION OF CAPITAL OUTLAY

Equipment is all property costing over \$1,000 that is electrical or mechanical in nature and which would normally be repaired instead of discarded or replaced. Equipment with an acquisition cost of **less than \$5,000** which is at least five years old and no longer effective may be purged or transferred to the LEA at no cost, upon DESE's approval. Records of transferred equipment must be retained for three years from date of transfer. The written request to purge or transfer must include:

- item description (including model and serial number)

- date of acquisition
- original cost
- reason for purge or transfer
- anticipated use

LEAs must request from DESE disposition instructions for capital outlay with an acquisition cost of **\$5,000 or more** per unit. LEAs given permission to purge equipment less than five years old will not be given approval to purchase similar equipment until the five-year period has ended.

## **BUDGET CATEGORIES SUMMARY**

6100 *Salaries* - Amounts paid for full- and part-time employees of the LEA, including:

- full- and part-time certificated teachers
- substitute teachers
- supplemental pay (extra-curricular for certificated personnel)

6150 *Non-Certified Salaries* - Amounts paid for full- and part-time employees of the LEA, including:

- full- and part-time non-certificated employee pay
- unused sick or severance pay for non-certificated employees
- supplemental pay (extra-curricular for non-certified personnel)

6200 *Employee Benefits* - Amounts paid by the LEA on behalf of employees over and above the gross salary; not paid directly to employee. Benefits include:

- teacher and non-teacher retirement
- Old Age, Survivors and Disability Insurance (OASDI), and Medicare
- employee insurance (e.g., dental, life)
- worker's compensation
- unemployment compensation
- other employee-provided services

6300 *Purchased Services* - Amounts paid for personnel not on the LEA's payroll, and for services required by the LEA. Such services may be purchased from another LEA. The following may fall under this category:

- professional and technical services (e.g., architectural, legal, dental)
- instructional (e.g., tuition paid to other districts; curriculum consultants)
- pupil and staff services
- audit, data processing, and like services
- property services (e.g., cleaning, repairs, maintenance)
- transportation (contracted and non-contracted)
- staff travel
- insurance (other than employee benefits)
- communication (e.g., advertising, printing)
- other (e.g., contracted food services)

6400 *Supplies and Materials* - Amounts paid for expendable items that are consumed, worn out, or which become part of more complex units or substances. These include:

- general supplies, including freight and cartage
- free and regular textbooks
- library books, periodicals, resource materials
- food (items usually claimed on the School Food Service Reimbursement form)
- energy (electric, gas, oil)
- other supplies and materials

6500 *Capital Outlay* - Expenditures for fixed assets or additions to fixed assets. Capital outlay is considered to be an object that is purchased. Unit cost must be over \$1,000. It covers:

- land, buildings, and other improvements
- regular equipment
- instructional equipment
- vehicles
- other capital outlay

**NOTE:** Detailed expenditure object and function code descriptions may be found in the Missouri Financial Accounting Manual, dated January 1, 2016. <http://dese.mo.gov/financial-admin-services/school-finance/accounting-manual>

<b>SECTION IX- A. - HOMELESS CHILDREN AND YOUTH PROGRAM ACTIVITY BUDGET</b>	
<b>BUDGET ITEMIZATION</b>	<b>GRANT FUNDS REQUESTED</b>
<b>6100: CERTIFICATED SALARIES</b>	
<b>Homeless Coordinator (.50 FTE)</b>	<b>\$23,000</b>
<b>Homeless Case Manager (1 FTE)</b>	<b>\$42,659</b>
<b>6100 SUBTOTAL</b>	<b>\$65,659</b>
<b>6150: NON-CERTIFICATED SALARIES</b>	
<b>6150 SUBTOTAL</b>	<b>\$00.00</b>
<b>6200: EMPLOYEE BENEFITS (OPTIONAL CATEGORIES)</b>	
<b>FICA</b>	<b>\$3,127</b>
<b>Medicare</b>	<b>\$3,872</b>
<b>Retirement (Teacher or Non-Teacher)</b>	<b>\$4,416</b>
<b>Health, Life, and/or Dental Insurance</b>	<b>\$1,175</b>
<b>Other Benefits</b>	
<b>6200 SUBTOTAL</b>	<b>\$12,590</b>
<b>6300: PURCHASED SERVICES</b>	
<b>Professional Development to attend local and national conferences - \$5,000</b>	<b>\$5,000</b>
<b>Transportation costs – cabs, bus passes, mileage reimbursement</b>	<b>\$40,000</b>
<b>6300 SUBTOTAL</b>	<b>\$45,000</b>
<b>6400: MATERIALS/SUPPLIES</b>	
<b>School supplies</b>	<b>\$4,000</b>
<b>School clothing</b>	<b>\$1,000</b>
<b>Books</b>	<b>\$1,000</b>
<b>Hygiene supplies</b>	<b>\$1,000</b>
<b>Program supplies (office supplies)</b>	<b>\$500</b>
<b>Snack for tutoring</b>	<b>\$250</b>
<b>6400 SUBTOTAL</b>	<b>\$7,750</b>
<b>6100-6400 SUBTOTAL</b>	<b>\$130,999</b>
<b>INDIRECT COST OPTIONAL</b> (Restricted Rate: ____ % X Subtotal)	<b>\$0</b>
<b>6500: CAPITAL OUTLAY</b>	
<b>Laptop for shelter tutoring - \$1,000</b>	<b>\$1,000</b>
<b>6500 SUBTOTAL</b>	<b>\$1,000</b>
<b>TOTAL - (TRANSFER TO SECTION I – TOTAL BUDGETS BY PROGRAM)</b>	<b>\$131,999</b>

## **STUDENT PRIVACY AND SOCIAL SECURITY NUMBERS**

The Privacy Act of 1972, among other things, established the criteria by which an organization can legitimately request certain kinds of personal information from its patrons. In the case of Social Security numbers, the law is interpreted to mean that any organization or agency wishing to use this number must have a legitimate reason for doing so. Employers, for example, may require it in order to comply with reporting obligations to the Internal Revenue Service.

Since LEAs have no such obligations, that is, no legitimate reason for having the number, they may *not* require or even suggest students provide a Social Security number to enroll in school. While having the number may be a convenience, requiring it is in clear violation of the law. Appendix E contains the Guidelines Regarding the Use of Social Security Numbers.

Certain entities with which many schools are associated can and do legitimately require Social Security numbers. Two common ones are social services, such as Medicaid, and college and university scholarship sources. In these cases, LEAs can explain the reasons for using Social Security numbers, and instruct the student or parent wishing to apply for the service to do so directly, *without giving the number to the school*. Some other services used by LEAs, such as the state Dropout Hotline, request Social Security numbers but cannot require them; here again the number is used as a convenience.

In summary, LEAs should take the following steps to ensure that no one is discouraged from enrolling in public schools:

- Remove all blanks for Social Security numbers from enrollment forms and other school documents.
- Instruct all LEA staff, both professional and support, that Social Security numbers are not required of students to enroll in school, *or to apply for and receive free or reduced lunches*.
- Refrain from asking for any other information or documents that can be tied to U.S. residency.

## **PARTICIPATION OF PRIVATE SCHOOL CHILDREN AND EDUCATORS**

LEAs are encouraged to discuss with private schools the services that may be provided by the Homeless Children program to eligible private school children, their teachers, or other educational personnel. Services to nonpublic school children must be performed on public or neutral grounds if applicable to a specific discretionary program. The Constitution and laws of the State of Missouri and federal laws apply. If you have specific questions about the participation of private school children and educators, please call the Director of Federal Programs at 573-751-3468.

## **CONTROL OF PUBLIC FUNDS**

The public school district controls funds, employment, and contracts used to provide services to nonpublic students. Services shall be provided by employees of a public agency or through contract with an individual, association, agency, or organization independent of the private school and any religious organization. The district makes the final decision with respect to the services provided to nonpublic children with funds from the federal or state discretionary programs.

## **FEDERAL PROGRAMS COMPLAINT RESOLUTION PROCEDURES**

LEAs **must** have board-adopted, written procedures to resolve allegations of violations of requirements under Federal or State programs. The procedures should be made known and a copy maintained in each building. DESE has adopted written procedures in the event a complainant disputes a LEA decision. LEAs must disseminate, free of charge, adequate information about the complaint procedures to parents of students and appropriate LEA officials or representatives. To review the complaint resolution process recommended by DESE, please visit our website at: <http://dese.mo.gov/sites/default/files/qs-fedcomp-Complaint-Procedures.pdf>

## **SUSPENSION OF APPROVAL**

When DESE finds that a LEA receiving funds under a federal or state program has failed to comply with legal requirements or with their approved application, corrective action must be taken immediately and documentation must be submitted to DESE within a reasonable period of time (generally within two months). Failure to respond adequately will result in either or both of the two following actions:

- suspension of further payments for the noncompliant program until appropriate documentation is provided;
- denial of the use of funds for all or part of the cost of the program activity not in compliance.

## **MONITORING**

DESE will monitor recipients receiving McKinney-Vento funds by either/or:

- On-site monitoring of any program out of compliance which receives McKinney-Vento funding.
- Desk monitoring of all recipients of McKinney-Vento funds through the Project Evaluation Report.
- On-site monitoring if desk monitoring suggests deficiencies with programs receiving McKinney-Vento funding.
- On-site monitoring or desk monitoring of McKinney-Vento grants when a LEA is scheduled for a Federal Monitoring review.

The following tools will be used during those monitoring visits:

- McKinney-Vento personnel will monitor LEAs receiving McKinney-Vento funding using the tiered monitoring process.
  - If the LEA is in compliance, a letter will be sent informing the LEA they are in compliance.
  - If the LEA is not in compliance, a letter will be sent informing the LEA what is needed to ensure compliance with a deadline.
  - If the LEA is not in compliance and a follow up visit is required, McKinney-Vento personnel will set up additional on-site monitoring visits.
  - Once the LEA is in compliance, a letter will be sent informing the LEA they are in compliance.
  - If the LEA is not able to become in compliance, funding will be in jeopardy.
- McKinney-Vento personnel will monitor LEAs receiving McKinney-Vento funding yearly though a desk monitoring using the Project Evaluation Report.
- Additionally, McKinney-Vento personnel, monitor LEAs receiving and those not receiving McKinney-Vento funds through the tiered monitoring process. Monitoring will include a review of all the policies and procedures pertaining to the LEAs homeless children and youth program. This will include: monitor all the policies and procedures pertaining to enrollment identification, needs assessment, placement, services, records transfer, resolution of grievances, and the district identification of a working homeless liaison. Through this process, LEAs are assigned to one of three cohort groups. Additionally, the tiered monitoring process has four components: desk audit, desk-monitoring, on-site monitoring, and telephone monitoring. Implementation of these components will be phased in over a five year period beginning in SY 2011-2012.

For more information on the tiered monitoring process, see Administrative Memo LS-11-005 at:

<http://dese.mo.gov/quality-schools/federal-programs/nclb-tiered-monitoring>

A list of cohort groups is available on-line at: <http://dese.mo.gov/sites/default/files/qs-fc-cohort-list-aug-2015.pdf>



## **SCHOOL BUSES**

School buses are the safest way of transporting children since buses are designed with special safety features called compartmentalization. Compartmentalization is a passive crash protection system that includes strengthened bus bodies, close spacing of the seats, padded, flexible, and higher seat backs.

LEAs may use LEA-owned buses or contract with a school bus company to provide transportation services. The school bus contractor must comply with all state statutes and State Board of Education regulations that govern transportation by Missouri public LEAs.

## **PUPIL TRANSPORTATION IN VEHICLES OTHER THAN SCHOOL BUSES 5 CSR 30-261.045**

**PURPOSE:** Section 304.060, RSMo, authorizes vehicles other than approved school buses to be used for transportation of students. This rule establishes standards for transportation in vehicles other than approved school buses.

- (1) Requirements for transportation of students in vehicles designed for transporting more than ten (10) passengers including the driver.
  - (A) After July 1, 2001, newly purchased, newly leased, newly placed into service, newly contracted vehicles or vehicles replaced under contracted services with a rated capacity, as defined by the manufacturer, to carry more than ten (10) passengers including the driver that are used to transport students to or from school or to transport students to or from any place for educational purposes or school purposes shall meet state and federal specification and safety standards applicable to school buses. Contract common carriers meeting federal Department of Transportation standards may be used for field trips as outlined in section (3) of this rule.
- (2) Requirements for transportation of students in vehicles designed for transporting ten (10) passengers or less including the driver.
  - (A) The number of passengers, including students and driver, that may be transported at any one (1) time shall be limited to the number the manufacturer suggests as appropriate for that vehicle in accordance with section 304.060, RSMo, or if not posted in the vehicle, then limited to the number of seat belts in the vehicle.
  - (B) The driver and each passenger shall be properly secured with the appropriate seat restraint at all times while the vehicle is in motion.
  - (C) Motor vehicles designed for enclosed passenger transportation may be used subject to approval by the local board of education.
  - (D) Motor vehicles shall be licensed according to law and shall display a current state safety inspection sticker.
  - (E) The driver of a LEA owned or LEA contracted vehicle shall have a valid Missouri operator's license for the motor vehicle and comply with section 302.272, RSMo, and 5 CSR 30-261.010(2)(A)1-3, not to include a parent or guardian transporting only their children under a written contract with the LEA and who is not compensated by the LEA. The parent or guardian shall have a valid Missouri operator's license for the vehicle operated as per 5 CSR 30-261.010(2)(A).
  - (F) The driver of a privately owned vehicle who is not compensated by the LEA to transport students to and from school or school related events shall have a valid Missouri operator's license for the vehicle operated as per 5 CSR 30-261.010(2)(A). This shall include any person who transports school children as an incident to employment with a school or LEA, such as a teacher, coach, administrator, secretary, school nurse, or janitor unless such person is under contract with or employed by a school or LEA as a school bus operator as per section 302.010 (19), RSMo. Compensation shall be defined for the purpose of this section as any reimbursement received by the driver that exceeds the average cost of operating a car per mile as established by the American Automobile Association.

- (G) Motor vehicles shall have liability insurance coverage in accordance with section 537.610, RSMo, and as required by the local board of education.
  - (H) When transportation service in motor vehicles other than those licensed as school buses is contracted, there shall be a written contract between the LEA and the individual or firm providing the service.
- (3) Requirements for Transportation of Students in Authorized Common Carriers.
- (A) Authorized common carriers shall only be used to transport students to and from field trips or other special trips for educational purposes and shall not be used to transport students to and from school. Authorized common carriers, as used in this rule, are over-the-road intercity-type coaches equipped with reclining seats, air conditioning and restroom facilities, and holding authority from the Missouri Department of Economic Development, Division of Motor Carrier and Railroad Safety, or the Federal Motor Carrier Safety Administration.
  - (B) There shall be a written contract between the LEA and individual or firm providing the vehicle.
  - (C) All contracts with authorized common carriers shall include:
    - 1. Proof of liability insurance in the amount of five (5) million dollars per accident; and
    - 2. Proof of safety inspection and compliance with applicable federal Motor Carrier Safety Regulations.
  - (D) The driver of an authorized common carrier shall hold a valid Missouri commercial driver's license or a similar license valid in any other state and shall comply with all applicable driver qualifications of the federal Motor Carrier Safety Regulations.

If you have questions regarding the above information, refer to the School Transportation Administrator's Handbook found on the following website: <http://dese.mo.gov/financial-admin-services/school-transportation/administrators-handbook>

**HOMELESS CHILDREN AND YOUTH PROGRAM**  
**TITLE X – C MCKINNEY-VENTO HOMELESS ASSISTANCE ACT**  
**SUBTITLE VII-B (SECTIONS 721-726) AS AMENDED BY THE**  
**NO CHILD LEFT BEHIND ACT OF 2001 (PUBLIC LAW 107-110)**

**SPECIFIC GUIDELINES**

**INTRODUCTION**

Subtitle VII-B, Education for Homeless Children and Youth, of the McKinney-Vento Homeless Assistance Act (McKinney Act - P. L. 107-110) as amended by the No Child Left Behind Act of 2001, provides state education agencies with grant funds to carry out policies ensuring homeless children and youth access to a free, appropriate public education including a public preschool education which is provided to the children of a resident of a state and is consistent with the state's school attendance laws. In addition, funds are used to review and revise the residency requirements of compulsory state school attendance laws if these laws present barriers to free and appropriate education of homeless children and youth.

Under the McKinney Act, each state is required to:

- ensure that each child of a homeless individual and each homeless youth has equal access to the same free, appropriate public education, including a public preschool education, provided to other children and youth;
- review and undertake steps to revise such laws, regulations, practices, or policies having a compulsory residency requirement as a component that may act as a barrier to enrollment, attendance, or success in school of homeless children and youth and to ensure them the same free, appropriate public education provided to other children and youth;
- ensure that homelessness alone should not be sufficient reason to separate students from the mainstream school environment; and
- ensure homeless children and youth access to education and other services such children and youth need to meet the same challenging state student performance standards to which all students are held.

In accordance with the McKinney-Vento Homeless Assistance Act, as amended by the No Child Left Behind Act of 2001, the State of Missouri has devised a State Plan for Homeless Children and Youth. The plan is designed to aid LEA's with the federal and state educational requirements of homeless children and youth.

This plan may be obtained by visiting DESE's website at:

<http://dese.mo.gov/sites/default/files/qs-homeless-missouri-state-plan.pdf>

**ELIGIBLE GRANT APPLICANTS**

LEAs or Consortiums having an identified homeless population of 20 or more homeless children and youth per year are eligible to apply, on a competitive basis, for grant funds to provide educational support activities for homeless children and youth.

**HOMELESS CHILDREN & YOUTH GRANT FUNDING**

LEAs or Consortiums may apply for funding based on the number of homeless children and youth being educated in the LEA or Consortium up to a maximum level of \$400 per homeless child. The minimum amount of an approvable grant is \$8,000. The maximum amount any LEA or Consortium may apply for is \$150,000 (375+ students) regardless of the number of homeless children and youth being educated in the LEA or Consortium.

## **ALLOWABLE USE OF GRANT FUNDS**

- to defray the excess cost of transportation to enable homeless students to attend their school of best interest;
- for services and assistance to attract, engage, and retain homeless children and youth and unaccompanied youth in public school programs and services provided to non-homeless children and youth;
- tutoring, supplemental instruction, enriched educational services that are linked to the achievement of the same state content and performance standards as for other children or youth;
- to expedite evaluations of strengths and needs of homeless children and youth;
- professional development and other activities for educators and pupil service personnel to heighten the understanding of homeless children and youth;
- referral services to homeless children and youth for medical, dental, mental, and other health services;
- before and after school mentoring and summer programs for homeless children and youth in which a teacher or qualified individual provides tutoring, homework assistance, and supervision of educational activities;
- where necessary, the payment of fees and other costs associated with tracking, obtaining, and transferring records necessary to enroll homeless children and youth in school;
- developmentally appropriate early childhood education programs not otherwise provided through federal, state, or local funding for preschool-aged children;
- education and training to the parents of homeless children and youth about the rights and resources available to such children and youth;
- the coordination between schools and agencies providing services to homeless children and youth, including programs funded under the Runaway and Homeless Youth Act;
- pupil services (including violence prevention counseling) and referrals for such services;
- activities to address the particular needs of homeless children and youth that may arise from domestic violence;
- the adaptation of space and purchase of supplies for non-school facilities to serve the needs of homeless students;
- school supplies, including those supplies to be distributed at shelters or temporary housing facilities or other appropriate locations;
- other extraordinary or emergency assistance needed to enable homeless children and youth to attend school.

## **MAINTENANCE OF FISCAL EFFORT**

LEAs or Consortiums may receive funding under the Homeless Children and Youth Program without penalty only if the combined state and local expenditures for free public education for any fiscal year was not less than 90 percent of the combined state and local expenditures for the prior fiscal year. DESE determines maintenance of fiscal effort using data from the Annual Secretary of the Board Report. For more information on Maintenance of Fiscal Effort (MOE) please visit:

[http://dese.mo.gov/sites/default/files/guidance\\_feb2008.pdf](http://dese.mo.gov/sites/default/files/guidance_feb2008.pdf)

## **REQUIREMENTS FOR SERVING HOMELESS CHILDREN AND YOUTH**

Every LEA in the state should be aware of the following information regardless of whether they receive a McKinney-Vento Subgrant for Homeless Children and Youth.

### **LEA HOMELESS LIAISON**

Every LEA in the state must designate a board-appointed homeless liaison. The homeless liaison must work to ensure that homeless children and youth have equal access to the same free public education as is provided to other children and youth.

The LEA homeless liaison responsibilities include:

- assist with immediate enrollment of homeless children and youth and provide assistance with obtaining academic and medical records;
- make school placement decisions on the basis of the best interest of the child and wishes of the parent, guardian, or unaccompanied youth (if the school of best interest is different than the parent or guardian or unaccompanied homeless youth's wishes, then a written statement explaining the school placement decision and the appeal rights must be provided to the parent, guardian, or unaccompanied homeless youth);
- handle enrollment disputes (homeless children or youth must be enrolled in the school in which the parent, guardian, or unaccompanied homeless youth seeks enrollment during the dispute and the coordinator will carry out the state's grievance procedure as quickly as possible after receiving notice of the dispute);
- prohibit the segregation of homeless children and youth;
- provide/arrange transportation and inform the parent, guardian, or unaccompanied homeless youth of the transportation services the school district must make available and assist the homeless children and youth in accessing transportation to and from school;
- inform parent, guardian, or unaccompanied homeless youth of the educational and related opportunities available to them;
- disseminate public notice of the educational rights of homeless children and youth in places homeless children and youth receive services (soup kitchens, shelters, Salvation Army, school, PAT areas, food pantries, community organizations, etc.). The LEA and phone number of the homeless liaison may also be listed on the notice for contact information;
- coordinate and collaborate with community and LEA personnel concerning issues related to the education of homeless children and youth.

### **IDENTIFICATION**

A homeless individual is one who:

- A. lacks a fixed, regular, and adequate nighttime residence; and
- B. includes--
  - i. children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;
  - ii. children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings (within the meaning of section 103(a)(2)(C));
  - iii. children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings.

The first category may include some individuals who have moved in with others, and consideration of each individual case, along with the permanency of the situation, will probably be needed in order to identify those who are homeless.

In 1995, the U.S. Department of Education issued non-regulatory guidance, which included the following:

- Children in foster care should not be considered homeless unless they are temporarily placed in foster care because of lack of shelter space.
- Children who are runaways should be considered homeless even if their parents have provided or are willing to provide a home for them.
- Children who are “throwaway children” should be considered homeless until a fixed, regular, and adequate residence is established for them.
- All abandoned children are homeless until a fixed, regular, and adequate residence is established.
- Children who live with friends or relatives because of loss of housing or other similar situation should be considered homeless.
- Children living in “doubled up” families may be considered homeless if the family is doubled up or tripled up because of loss of housing or a similar situation.
- School aged, unwed mothers or mother-to-be who resides in a home for unwed mothers should be considered homeless if they have no other available living accommodations.
- Migrant children should not be considered homeless unless they meet the definition in the McKinney Act.

## **STUDENT PRIVACY AND SOCIAL SECURITY NUMBERS**

Refer to page 11 for information regarding these guidelines.

## **SCHOOL ASSIGNMENT FOR HOMELESS CHILDREN AND YOUTH**

The McKinney-Vento Homeless Assistance Act, Subtitle VII-B of 2001, requires that states assure that local education agencies enroll homeless children and youth **immediately** in the school of their best interest. Every effort should be made to provide for continuity of the student’s education.

It may be in the student’s best interest to continue enrollment in the school of origin. School of origin may be defined as the school that the child or youth attended when permanently housed, or the school in which the child or youth was last enrolled. To the extent feasible, a homeless child or youth should remain in the school of origin, except when doing so is contrary to the wishes of the child’s or youth’s parent or guardian. It may, however, be in the child’s or youth’s best interest to enroll in the school of the attendance area of the current residence. In determining the best interests of the child or youth, the local education agency shall comply, to the extent feasible, with the request made by a parent or guardian regarding school selection. The choice regarding assignment shall be made regardless of whether the child or youth is living with the homeless parents or has been temporarily placed elsewhere by the parents, or whether the child or youth is unaccompanied. If the school district sends a child or youth to a school other than the school of origin or a school requested by the parent or guardian, the school district shall provide a written explanation including the right to appeal the decision to the parent or guardian. In the case of an unaccompanied youth, the homeless liaison (designated by the school district) shall assist in placement or enrollment decisions while considering the views of the unaccompanied youth and providing notice to the youth of the right to appeal.

The homeless child or youth shall be immediately enrolled even if the child or youth is unable to produce records normally required for enrollment, such as previous academic records, medical records, proof of residency, or other documentation. The term “enroll” and “enrollment” mean the student is attending classes and participating fully in school activities. The enrolling school shall immediately contact the school last attended by the child or youth to obtain relevant academic and other records. If the child needs to obtain

immunizations, or immunization or medical records, the enrolling school shall immediately refer the parent, guardian, or unaccompanied youth to the district homeless liaison who shall assist in obtaining necessary immunizations or medical records.

If the school of best interest and the current residence are in different school districts, the local homeless liaisons of the two districts should work together to facilitate the placement.

### **PLACEMENT IN APPROPRIATE LEVEL OF INSTRUCTION**

Placing a student at the appropriate class level or level of instruction when he/she enters school is always a challenge; however, it is a special challenge for a child with no records from the school(s) previously attended. In such situations for homeless children and youth, school personnel are urged to do a quick, appropriate assessment of the child's strengths, weaknesses, and achievements and then make the best possible temporary placement until more information is available. If records are not received in ten or more school days, the state homeless coordinator may be contacted for assistance in resolving the matter.

### **MAINTAINING AND SHARING APPROPRIATE SCHOOL RECORDS**

Schools must use great care in maintaining and keeping up-to-date records on children identified as homeless. Given the transience of homeless students, copies of cumulative records, or other evidence of placement or special needs, may be given to the parent as allowed under the Family Education Rights and Privacy Act (FERPA). Upon the enrollment of a homeless child, a school is encouraged to accept copies of records, or other evidence of placement provided by the child's parent, for purposes of immediate placement and delivery of education and support services. Thereafter, the receiving school should request copies of the official records from the school of origin. The availability of records to requesting school districts should be handled as expeditiously as possible. It is recommended that school districts use such avenues as the telephone, fax machines, and express mail services for verification of test scores, immunization records, and program eligibility, with the understanding that for those records transferred by electronic means, a hard copy of the document will be mailed as quickly as possible. **Lack of school records must not delay the enrollment of a homeless child. If a parent or caregiver needs to request/obtain another copy of a child's birth certificate, a reasonable amount of time should be given to the parent or caregiver to do so.**

### **TESTING**

Homeless students should be tested as quickly as possible when the need becomes apparent for such testing. Districts are encouraged, however, to obtain all relevant information about prior testing to avoid duplication. Possible methods of obtaining this information include phone contact with the school principal or the homeless liaison in the previous district, interviews with the parents and/or student, and review of any available records, which may indicate test results. Other valuable information can be obtained quickly through informal assessment procedures, including interviews, oral readings, and other techniques used by school counselors, special education teachers, and Title I teachers.

## **IMMUNIZATION RECORDS**

Once LEA officials have determined that an enrolling student is homeless, the LEA's homeless liaison must assist in the student in obtaining his/her education, immunization, medical, and other records. According to McKinney-Vento, the student must be enrolled in the interim. If the homeless liaison is unable to obtain prior immunization records within thirty (30) days of enrolling and the student is still eligible for services under the homeless education program; the student must begin the immunization series and demonstrate that satisfactory progress has been accomplished within (90) days. If the homeless student maintains that he/she is exempted from receiving immunizations, then after thirty (30) days the student must provide documentation in accordance with the exemption requirements provided for in § 167.181.3, RSMo. See <http://health.mo.gov/living/wellness/immunizations/pdf/1516surveyform.pdf>.

## **PROVIDING COMPARABLE SERVICES IN REGULAR PROGRAMS**

Because of the temporary nature of their school enrollment, homeless students are often denied access to programs available to other students. Homeless students should be given the opportunity to participate in all available school programs. These programs may include, but are not limited to, transportation services, counseling programs, elective classes, incentive grant programs, fine arts classes, and industrial/vocational classes, gifted/talented programs, and school nutrition programs.

In the case of a homeless student who is a member of a minority group, Title VI of the Civil Rights Act of 1964 provides that these students may not be discriminated against in the assignment to schools, classes, programs, or activities. The McKinney-Vento Act provides that homeless students may not be isolated or stigmatized because of their homelessness.

## **PROVIDING COMPARABLE SERVICES IN SPECIAL PROGRAMS**

Children who suffer the effects of homelessness are often moved from town to town and school to school. As a result of the rapidly changing and transient lifestyle imposed upon them, these children may not receive the special services to which they are entitled, or for which they have great need. The McKinney-Vento Act requires that homeless children are entitled to these comparable services regardless of the permanency of their residence in the district. These services include programs for children with disabilities and educational programs for students with limited English proficiency.

## **TRANSPORTING HOMELESS CHILDREN-- INTRA-DISTRICT TRANSPORTATION**

The attendance center is assigned by local school district officials for each pupil residing within its boundaries. If a student becomes homeless during the school year and temporarily resides in a different attendance area, the parent, guardian, or unaccompanied youth and the district homeless liaison should decide whether or not it is in the student's best interest to remain at the school of origin. Local district policy determines at what distance (less than 3 ½ miles) the school district will provide transportation for its pupils. Therefore, depending upon each local district's policy, transportation may be provided and state aid claimed for transporting the homeless student to and from the school of origin.

State transportation aid can be claimed and paid on all pupils living one (1) mile or greater from their assigned attendance center.

Pupils living less than one (1) mile from their assigned attendance center may be transported by the district; however, no state aid can be claimed for these pupils.



## **TRANSPORTING HOMELESS CHILDREN-- INTER-DISTRICT TRANSPORTATION**

When the school of origin is in a LEA different from the one in which the homeless student is temporarily residing and a determination is made that the student should remain at the school of origin, transportation may be provided. An agreement may exist between the resident school district and the school district in which the school of origin is located, for the intention of transporting the homeless student.

Both districts must equally split the cost of transporting a homeless student to the school of origin, or if the school of origin is not determined to be in the best interest of the child, to the school of best interest.

The resident school district may claim state aid for providing transportation through a variety of options:

- A. the resident school district may provide the transportation;
- B. the resident school district may contract with the school district of attendance to have it provide the transportation; or
- C. the resident district may contract with a school bus contractor, taxi cab company, homeless shelter, or an individual with the proper license/permit to provide the transportation to and from the assigned attendance center.

Refer to the School Transportation Administrator's Handbook for guidance concerning pupil transportation in vehicles other than school buses. The Handbook is available on line at: <http://dese.mo.gov/financial-admin-services/school-transportation/administrators-handbook>

Also, refer to the National Center for Homeless Education's McKinney-Vento Law Into Practice Brief: *Transporting Children and Youth Experiencing Homelessness*. Available on line at: <http://center.serve.org/nche/downloads/briefs/transportation.pdf>

## **HOMELESS STATE SCHOOL TRANSPORTATION**

When a homeless student attends a state school, the school district where the student resides and the school district where the state school is, will split the excess cost of transporting the homeless student to the state school.

## **CLAIMING STATE TRANSPORTATION AID**

The transportation of a homeless student will be treated and reimbursed at the same rate as all other pupil transportation expenditures. The resident district must have route miles on its Route Approval Report submitted to the local board of education for approval and on the Application for State Transportation Aid (as with any other route mileage); and the expenditures must be reported on the Annual Secretary of the Board Report in an appropriate transportation line.

## **STAFF DEVELOPMENT FOR TEACHERS**

Professional development activities should be provided for school personnel that are designed to heighten their sensitivity to the needs of homeless children and youth, the rights of such children and youth, and the specific educational needs of runaway and homeless youth. Homeless children and youth must not be isolated or stigmatized, and teachers and other school personnel must feel comfortable working with them and their families if they are to make them feel safe and welcome in the school. A LEA may provide their staff with professional development activities provided by knowledgeable shelter personnel or staff from other school districts.

## TITLE I

A child or youth who is homeless and is attending any school in the LEA is eligible for Title I services. **The LEA must set aside sufficient Title I funds to provide comparable services to eligible homeless children who do not attend participating schools.**

Amounts quoted in this application should be the same amount that appears in each LEA's Title I.A budget. In a consortium Subgrant, Title I.A set aside funds should remain at the LEA level; the amount of funds aggregated on the budget page is for reference only. Consortium applicants may disaggregate each district's Title I.A homeless set-aside amount in the budget narrative.

Title I of the Elementary and Secondary Education Act (ESEA) targets those students most at risk of failing in school. Among students at risk of school failure are children and youth experiencing homelessness.

Homeless children and youth often face unique barriers when accessing educational programs and striving for academic success, ensuring that these students receive "comparable" services may require additional programming that is not provided to other Title I students. For instance, Title I, Part A, states that it is appropriate to provide educationally-related support services, such as tutoring, to children at shelters or other places where homeless children may live, such as motels. [20 USC 6313(c)(3)(A)]. In addition, Guidance from the U.S. Department of Education states that LEAs may use reserved funds to provide homeless students with services that are not ordinarily provided to other Title I students and that are not available from other sources. The Guidance offers an example of using reserved funds to provide clothing to meet a school's dress or uniform requirements. Hence, in determining appropriate expenditures for the funds set aside for homeless students, it is important to note that *comparable* services do not mean services that are necessarily *identical* to other Title I, Part A, services.

In addition to serving homeless students not enrolled in Title I schools, U.S. Department of Education Guidance states that set asides also can be used to provide services to homeless students who *are* attending Title I schools. In determining the set-aside amount, LEAs should allow for the provision of services to homeless students who attend Title I schools that will meet the unique needs of these children above and beyond the regular Title I programs at those schools, as well as for the provision of services to homeless students who do not attend Title I schools.

## SUGGESTIONS FOR SERVICES

After assessing the needs of homeless students, the Homeless Liaison and Title I Coordinator, along with other district-level administrators, may consider funding the following:

- Before-school, after-school, and/or summer programs
- Outreach services to students living in shelters, motels, and other temporary residences to help identify homeless children and youth and advise them of available school programming
- Basic needs such as clothing, uniforms, school supplies, and health-related needs
- Counseling services
- The excess cost of transportation
- Homeless Liaison salary
- The hiring of teachers, aides, and tutors to provide supplemental instruction to students whose achievement is below grade level
- The work of the local liaison
- Parental involvement programs that make a special effort to reach out to parents in homeless situations
- Research-based programs that benefit highly mobile students
- Data collection to assess the needs and progress of homeless and other highly mobile students

## MANDATORY RESERVATIONS OF TITLE I.A FUNDS

Section 1113(c) (3) (A) states, “A local educational agency shall reserve such funds as necessary under this part to provide services comparable to those provided to children in schools funded under this part to serve homeless children who do not attend participating schools, including providing educationally related support services to children in shelters and other locations where children may live.”

The LEA must set aside funds for services to homeless children on Step 3 of the Title I Breakdown of Allocation. School districts must establish their own methods for allocating Title I, Part A, set asides for homeless children and youth who are not attending Title I schools. Generally, these methods involve conducting a needs assessment for homeless students in the school district or basing the set-aside amount on a formula, such as a per pupil expenditure. Determining an appropriate amount requires coordination between the Title I Coordinator and Homeless Liaison.

Below are some methods that may be used to calculate your Title I, Part A, set aside:

**Method #1**    **Reserve the set aside amount on what you would be eligible for if you were applying for a McKinney-Vento subgrant.** In Missouri, the competitive McKinney-Vento Homeless application allows school districts to apply for funding based on the number of homeless children and youth being educated in the district up to a maximum level of \$400 per homeless child. **If your district does not identify any homeless children and youth, a minimum of \$400 should be set aside in case a homeless student should arrive in your district.**

**Method #2**    **Reserve the set aside amount based on a percentage.** A specific percentage of funds for homeless children and youth can be reserved based on your Title I, Part A allocation, or on your district’s poverty data. Generally, if you have a higher poverty percentage, you will have a higher number of homeless children and youth.

**Method #3**    **Reserve the set aside amount based on your homeless student count and Title I, Part A per-pupil allocation.** To reserve funds by using this method you will need to take your homeless children and youth count multiplied by your Title I, Part per-pupil allocation.

**Method #4**    **Reserve the set aside amount based on homeless student’s needs.** Based on your district’s prior years expenses related to fulfilling the requirements set out in Section 722(g)(6) of McKinney-Vento, set aside an amount that will allow you to provide appropriate services.

**Method #5**    **Reserve based on free/reduced lunch count.** Statistically, 10% of children living in poverty will experience homelessness within any given year.\* Using your free/reduced lunch count, you could estimate the number of students in your district that may experience homelessness this school year. For example:

Your free/reduced lunch count =100 students  
10% of whom could become homeless =10 students  
Your Title IA per pupil allocation is \$869 per student

Using this method, your Title IA Homeless set-aside would be: \$8,690.00

\*Burt, Martha and Laudan, Aron. *American’s Homeless II: Populations and Services*, The Urban Institute, 2000.

Your district should indicate the method that you have chosen to set aside an amount for homeless children and youth, under the Comments Section of Step 3, Breakdown of Allocation.

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## **Appendix A**

### **DIRECTIONS FOR COMPLETION OF THE FEDERAL COMPLIANCE APPLICATION FOR THE HOMELESS CHILDREN AND YOUTH GRANT PROGRAM**

Individual school districts or a consortium (with one district acting as the fiscal agent), are eligible to apply. Consortium applications should include all district members, including the homeless liaison and administrative contacts for each district.

School districts and consortiums may apply for funding based on the number of homeless children and youth being educated in the district(s) up to a maximum level at \$400 per homeless child. The minimum grant award is \$8,000 (20 students). The maximum amount any district or consortium may apply for is \$150,000 (375+ students) regardless of the number of homeless children and youth being educated in the district(s).

Submit an original, three copies of the application **no electronic or faxed applications will be accepted**. The grant application must be postmarked by *Tuesday, May 24, 2016*, to the following address:

Federal Programs, Homeless Grant Application  
Department of Elementary and Secondary Education  
7<sup>th</sup> Floor, 205 Jefferson Street, PO Box 480  
Jefferson City, Missouri 65102-0480

<p><b>Narratives cannot exceed page limits and must be typed in Times New Roman 12 point font, double-spaced with 1 inch margins.</b></p>
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#### **SECTION I - TOTAL BUDGETS BY PROGRAM**

The total budget for this homeless grant must be completed and shown in the grid. The codes on the left side of the budget grid are function codes. Function code descriptions mean the action or purpose for which a person or thing is used or exists. Function includes the activities or actions which are performed to accomplish the objective of the school district. The object codes run across the top of the budget grid. For further information on function and object codes, consult the School Finances' Missouri Financial Accounting Manual. <http://dese.mo.gov/financial-admin-services/school-finance/accounting-manual>

#### **SECTION II - DISTRICT AND PROGRAM INFORMATION**

List the name of the district, the board-authorized representative, and the grant contact information. The grant contact should be someone who knows the grant well and will be in daily contact with the project staff.

**The application must include the original signature of the superintendent or authorized representative who guarantees all assurances will be met. Applications not signed, are considered non-responsive and will not be scored or funded.**

#### **SECTION III – PROGRAM STATUS**

District level information can be located:

- Student Enrollment: <http://mcds.dese.mo.gov/quickfacts/SitePages/DistrictInfo.aspx>
- Free and Reduced Lunch Percentage:  
<http://mcds.dese.mo.gov/quickfacts/SitePages/DistrictInfo.aspx>
- Dropout Rate: <http://mcds.dese.mo.gov/quickfacts/SitePages/DistrictInfo.aspx>

- Homeless Children and Youth Count conducted by the District are the total number of homeless children and youth served one day **OR** by the total number of homeless children and youth served during the entire previous school year **OR** the results of DESE's census as required by federal legislation. The DESE census can be found on our website at:  
<http://dese.mo.gov/sites/default/files/qs-homeless-data-by-district-2009-2015.pdf>
- County Poverty Percentage for 2014:  
<http://www.ers.usda.gov/data-products/county-level-data-sets/poverty.aspx>

The following items, while not on the application, will be used for scoring purposes through the Grant Rubric. These items will be reviewed and populated by DESE staff.

- 2015 Annual Performance Report (APR) data:
  - MSIP 5 Performance Standard— Attendance Rate
  - MSIP 5 Performance Standard— Graduation Rate

#### **SECTION IV – PROGRAM DEVELOPMENT AND PLANNING**

Complete as directed. Applicants should check all that apply.

#### **SECTION V – GRANT NEEDS ASSESSMENT NARRATIVE**

**Narratives cannot exceed 4 pages and must be typed in Times New Roman 12 point font, double-spaced with 1 inch margins.**

The program status and statement of need narrative should include:

- Current status of the LEA's Homeless program; including,
  - Socio-economic and demographic data and trends.
- Available resources; including:
  - Community resources,
  - Outreach Programs,
  - LEA support and federal program support in place, and
  - Percentage of time that the local liaison and others devote to homeless education.
- Identification of major needs of homeless children and youth in the LEA that will be addressed with this grant.

#### **SECTION VI – PROGRAM DESCRIPTION**

##### **A. Program Description Narrative**

**Narrative cannot exceed 5 pages and must be typed in Times New Roman 12 point font, double-spaced with 1 inch margins.**

The narrative should provide a description of:

1. How the grant is consistent with the purpose of and encompasses all aspects of the McKinney-Vento Homeless Assistance Act.
2. How the services and programs funded by this grant will address the needs identified by the LEA's assessments and how these are linked to the needs, objectives, activities, and outcomes of the program.
3. Describe in detail the programs activities as they are proposed in the grant.
4. How the proposed activities do not replace the regular academic program but instead, expand upon or improve services proved to homeless students as part of the school's regular academic program.
5. Staffing and management for the program. Also describe how the LEA coordinates with other service providers/agencies; including, but not limited to Title I.A., Migrant, RPDC, ELL, and Preschool programs.

6. Current policies and procedures that exist or will be implemented to eliminate the stigmatization or isolation of homeless children.

#### **B. Title I and McKinney-Vento Coordination**

**The narrative for this section must be completed in the text boxes provided in the application. This is an auto filled form and must not be changed.**

Complete information identifying the dollar amount set aside in the Title I budget for Homeless Education during the 2015-16 SY. Include a description of the activities funded with those set aside funds. Then identify the planned dollar amount set aside in the Title I budget for Homeless Education for the 2016-17 SY and describe how those set aside funds will be used.

Information should be providing explaining what percentage of the 2015-16 SY Title I set aside funds were spent on activities for homeless children and youth. If this is less than 100% explain why set aside funds were not used. Provide a description explaining what process was used to determine the amount of the Title I Set Aside for 2016-2017. The narrative should also explain what mechanisms are in place to ensure ongoing coordination between the Title I and McKinney-Vento programs.

#### **C. Collaborations in the Community**

List the collaborating agencies, activities in place, future activities planned and the services or resources provided by collaborators. **The narrative for this section must be completed in the text boxes provided in the application. This is an auto filled form and must not be changed.**

#### **D. Collaborations within the LEA**

List the collaboration within the LEA, programs in place, future activities planned and the services or resources provided by collaborators. **The narrative for this section must be completed in the text boxes provided in the application. This is an auto filled form and must not be changed.**

### **SECTION VII – PROGRAM EVALUATION NARRATIVE**

#### **A. Program Evaluation Narrative**

**Narratives cannot exceed 5 pages and must be typed in Times New Roman 12 point font, double-spaced with 1 inch margins.**

Provide a description of:

1. How the grants activities will be monitored and how feedback will be obtained for decision-making through the life of the grant.
2. How feedback data will be used for guiding the grant's process during the term of the grant.
3. Describe what criteria will be used to judge the success of the grant.
4. Describe the methods of evaluation used for this grant.

#### **B. Objectives, Activities, Measures, and Data Source**

Complete information describing the objectives and in addition, describe how activities will be used to achieve those objectives. Include the number of homeless students impacted, the time frame of the activity, and how it relates to your Homeless Children and Youth Grant. Include only the activities which will be funded through the McKinney-Vento subgrant program.

The following are allowable activities:

1. to defray the excess cost of transportation to enable homeless students to attend their school of best interest;
2. for services and assistance to attract, engage, and retain homeless children and youth and unaccompanied youth in public school programs and services provided to non-homeless children and youth;

3. tutoring, supplemental instruction, enriched educational services that are linked to the achievement of the same state content and performance standards as for other children or youth;
4. to expedite evaluations of strengths and needs of homeless children and youth;
5. professional development and other activities for educators and pupil service personnel to heighten the understanding of homeless children and youth;
6. referral services to homeless children and youth for medical, dental, mental, and other health services;
7. before and after school mentoring and summer programs for homeless children and youth in which a teacher or qualified individual provides tutoring, homework assistance, and supervision of educational activities;
8. where necessary, the payment of fees and other costs associated with tracking, obtaining, and transferring records necessary to enroll homeless children and youth in school;
9. developmentally appropriate early childhood education programs not otherwise provided through federal, state, or local funding for preschool-aged children;
10. education and training to the parents of homeless children and youth about the rights and resources available to such children and youth;
11. the coordination between schools and agencies providing services to homeless children and youth, including programs funded under the Runaway and Homeless Youth Act;
12. pupil services (including violence prevention counseling) and referrals for such services;
13. activities to address the particular needs of homeless children and youth that may arise from domestic violence;
14. the adaptation of space and purchase of supplies for non-school facilities to serve the needs of homeless students;
15. school supplies, including those supplies to be distributed at shelters or temporary housing facilities or other appropriate locations;
16. other extraordinary or emergency assistance needed to enable homeless children and youth to attend school.

Describe how the proposed use of funds would facilitate the enrollment, retention, and success of homeless children and youth in school. Include how objectives will be measured and what data sources will be used. **The narrative for this section must be completed in the text boxes provided in the application. This is an auto filled form and must not be changed.**

### **EXAMPLES**

**Professional Development** would include those activities funded by the McKinney-Vento grant program. These would be professional development programs and activities that raise awareness among school district staff of the special needs of homeless children and youth.

**Educational Services** would include, but are not limited to; tutoring, supplemental instruction and other educational services that help homeless children and youth reach the same challenging state content and student performance standards to which all children are held. Educational services could also include: before and after-school programs, mentoring, summer programs for homeless children and youth, developmentally appropriate early childhood education programs for homeless children of preschool age that are not provided through other federal, state or local funds, and expedited evaluations of homeless children and youth to measure their strengths and needs. These evaluations should be done promptly in order to avoid a gap in the provision of necessary services to such children and youth. Evaluations may also determine a homeless student's eligibility for educational programs for gifted and talented students, vocational education programs and school meals programs. Education and training programs for parents of homeless children and youth regarding the rights their children have, as homeless individuals, to the educational and other resources available.



**Comprehensive Services** would include, but are not limited to, referrals of homeless children and youth to medical, dental, mental and other health services. Comprehensive Services could also include: pupil services' programs providing violence prevention counseling and referrals to such counseling, programs addressing the particular needs of homeless children and youth that may arise from domestic violence, and providing extraordinary or emergency services to homeless children and youth as necessary to enroll and retain such children and youth in school.

**Transportation** would include, paying for the excess cost of transportation not otherwise provided through federal, state or local funds to enable homeless children and youth to attend schools selected under Section 722(g)(3) of the McKinney Act. The standard is that schools must provide bus transportation to students in the attendance area (beyond certain proximity from the school). Excess costs can be incurred, for example, when keeping a homeless child at his or her "school of origin" while the child temporarily resides outside the attendance area of the school. If the school of origin (the school attended when the child or youth was permanently housed, or where the student was last enrolled) is outside the school's attendance area, measures beyond regular school bus transportation may be needed. **No more than 35% of the total grant budget may be used for the excess cost of transportation.**

**School Records** would include, but are not limited to, paying fees and costs associated with tracking, obtaining and transferring records necessary for the enrollment of homeless children and youth in the school. The records may include birth certificates, guardianship records, immunization records, academic records and evaluations of homeless children and youth determining eligibility for other programs and services.

**School and Hygiene Supplies** would include, but not be limited to, providing school and hygiene supplies for serving homeless children and youth.

#### **SECTION VIII – PROGRAM SUPPORTING DATA PAGE**

Indicates the positions funded with McKinney-Vento subgrant monies and the required certification (if any) for those positions. All federally-funded positions, whether certified or non-certified, are to be reported. All positions are to be reported according to the duties actually performed by staff person(s). Reported positions should not be different from what would be observed on site during a review or monitoring. For more information on federal programs' position coding, please refer to Exhibit 15 of the Core Data/MOSIS manual. This section should reflect the information submitted on screens 18 and 20 of core data. Information on Core Data/MOSIS can be found on DESE's website at: <http://dese.mo.gov/data-system-management/core-datamosis>

#### **SECTION IX– A. – HOMELESS CHILDREN AND YOUTH PROGRAM ACTIVITY BUDGET**

Complete this section to indicate total costs of implementing all activities. Provide a brief itemization of the line item and its cost. Each cost area must be subtotaled and then a grand total given. For examples, see Administrative Manual, page 10.

These totals must be copied to *Section I - Total Budgets By Program*.

**Example:** Program total funds should be transferred to *Section I - Total Budgets By Program*.

<b>SECTION I - TOTAL BUDGETS BY PROGRAM</b>								
<b>PROGRAM: Homeless Children and Youth</b>	<b>6100</b> Certified Salaries	<b>6150</b> Non- Certificated Salaries	<b>6200</b> Employee Benefits	<b>6300</b> Purchased Services	<b>6400</b> Materials Supplies	<b>6500</b> Capital Outlay	<b>6600</b> Other	<b>TOTAL</b>

The Homeless Children and Youth Grant Program allows for indirect cost. Administrative costs and indirect costs combined cannot exceed 5 percent of the district's total proposed budget. If indirect cost is applied, the district's restricted rate must be used. Indirect costs are calculated by multiplying total direct costs (less costs for capital outlay and interest) by the approved school district restricted indirect cost rate.

**SECTION IX– B. – HOMELESS CHILDREN AND YOUTH PROGRAM ADMINISTRATIVE COSTS**

Complete this section to indicate the program's administrative costs. **Administrative costs and indirect costs combined cannot exceed 5 percent of the district's total proposed budget.** Provide a brief itemization of the line item and its cost. Each cost area must be subtotaled and then a grand total given.

## **Appendix B**

### **MISSOURI FREQUENTLY ASKED QUESTIONS**

**Q. Where can I find the definition of homeless children or youths?**

- A. The McKinney-Vento Homeless Education Assistance Act (42 U.S.C. 11431 et seq.) defines homeless children or youths. See the following website:

[http://www4.law.cornell.edu/uscode/html/uscode42/usc\\_sec\\_42\\_00011434---a000-.html](http://www4.law.cornell.edu/uscode/html/uscode42/usc_sec_42_00011434---a000-.html)

Section 167.020.1, RSMo, the state statute defining Missouri's public school residency requirements, conforms to the federal definition. See the following website:

<http://www.moga.mo.gov/mostatutes/stathtml/16700000201.html#Top> Most Missouri school districts have adopted a written "Homeless Education Program" or "Admission of Homeless Students" policy or regulation that includes this definition. Homeless liaisons and school admissions personnel should familiarize themselves with this policy.

**Q. Are homeless children and youths subject to the same residency requirements as other students?**

- A. No. Pursuant to § 167.020.6, RSMo, homelessness is an exception to the residency requirements defined in § 167.020.2 and 3, RSMo.

**Q. What is meant by "immediate" enrollment?**

- A. It means that a homeless student should be enrolled without undue or unreasonable delay. The goal is to ensure that the LEA does not create a barrier to enrollment.

**Q. May a school district wait until a new semester begins to enroll a homeless child?**

- A. No. The McKinney-Vento Act supersedes district practice regarding enrollment. District personnel should review their board-adopted policy regarding the enrollment of homeless students.

**Q. How does the school district determine if a student fits the definition of "awaiting foster care"?**

- A. The Department recommends contacting the Children's Division for assistance in making a determination as to a student's care status.

**Q. What is Missouri's policy on immunizations for homeless children and youths?**

- A. Once district officials have determined that an enrolling student is homeless, the district's homeless liaison must assist in the student in obtaining his/her education, immunization, medical, and other records. According to McKinney-Vento, the student must be enrolled in the interim. If the homeless liaison is unable to obtain prior immunization records within thirty (30) days of enrolling and the student is still eligible for services under the homeless education program; the student must begin the immunization series and demonstrate that satisfactory progress has been accomplished within (90) days. If the homeless student maintains that he/she is exempted from receiving immunizations, then after thirty (30) days the student must provide documentation in accordance with the exemption requirements provided for in § 167.181.3, RSMo. See the following website—Title 19-

DEPARTMENT OF HEALTH AND SENIOR SERVICES

<http://health.mo.gov/living/wellness/immunizations/pdf/1516surveyform.pdf>

**Q. If a parent is incarcerated is the child automatically considered a homeless student?**

- A. A review of the facts specific to the child should assist the district in determining whether homelessness is a consequence of the incarceration. It may depend on the immediacy and longevity of the parent's incarceration; it may also depend on who has custody of the child during the parent's

incarceration and/or whether the student is residing in a fixed, regular, and adequate nighttime residence during the incarceration. If the child isn't identified as homeless, s/he may be residing in the district as the result of hardship or good cause.

**Q. If a homeless liaison suspects that a “homeless” child is not truly homeless, how would the district prove that a person is not homeless?**

- A. McKinney-Vento requires homeless children to be enrolled immediately even if the student can't provide education records. Until the district determines otherwise, the student should be enrolled. Most school districts have a standard enrollment/registration form and/or a proof of residency waiver form that should provide the homeless liaison enough information to make a determination as to the student's homeless status. If not, the homeless liaison can continue to monitor the child's status throughout the school year if the form doesn't provide enough information for the liaison to initially make an informed decision.

**Q. At what age can districts begin using grant funds to serve homeless children and youths? Do they need to only serve school-aged children as our state defines it?**

- A. McKinney-Vento addresses the needs of homeless children and youths from pre-school through grade 12 and requires comparable services for enrollment in preschool programs for which non-homeless preschool students are eligible. Therefore, a school district that operates a pre-school program in one or more schools should be providing comparable services for children who are homeless. School districts wanting to use grant funds for preschool may do so only for students who meet the age requirements of the district preschool program.

**Q. Does our school district need to provide transportation for detention?**

- A. A homeless student receiving an after-school detention would be treated comparably to other students who have been detained after school. In some cases, that may mean the school provides after hours transportation.

**Q. May school districts use transportation funds to transport a 19 year-old from a shelter to take GED classes? The student is not enrolled in the school district at this time.**

- A. The use of federal funds would not be appropriate for this purpose since the student is not enrolled in high school. On the other hand, a homeless student participating in a district's GED Option Program would still be eligible for transportation since the student remains enrolled in high school.

**Q. Are school districts required to provide transportation to alternative schools for homeless students?**

- A. If the student is assigned to an alternative school by the district, then transportation must be provided to the school.

- Q. Are school districts required to provide transportation during summer school for homeless children and youth?**
- A. Transportation during summer school is only required when it is provided to non-homeless students. Transportation should be provided if summer school is required for the homeless student to advance to the next grade.
- Q. Once a homeless child is permanently housed are districts required to provide transportation for the remainder of the school year?**
- A. For the sake of educational continuity, a school district has the discretion to use Title I or Title V funds to continue transporting the student for the remainder of the year.
- Q. Is the school district required to transport a homeless student to the school of origin/best interest if the student disobeys the rules in a cab and the driver refuses to transport the child for safety reasons and the district has no other means to transport the child?**
- A. All students are subject to the school district's discipline policies including those related to student transportation. Subject to the district's discipline policy, a homeless student may temporarily or permanently lose access to transportation if it's warranted under the circumstances.
- Q. Which school is the "school of origin"?**
- A. The term "school of origin" is defined as the specific school building in a school district that the student attended when permanently housed or the school in which the student was last enrolled before becoming homeless.
- Q. Is a school of origin required to enroll kindergarteners who are siblings of homeless students at the beginning of the new school year?**
- A. Again, it comes down to determining the school of best interest for that child. However, if an entire family is homeless, the district can presume the kindergartener is too.
- Q. Once a child is homeless, who determines the "school of best interest"?**
- A. The school of origin shall comply, to the extent feasible, with the request of a parent or guardian regarding school selection; however, the school district ultimately determines the school of best interest. If the school district elects to send a child or youth to a school other than the school of origin or a school requested by the parent or guardian, district officials shall provide a written explanation, including the right to appeal the decision, and a copy of the standard complaint resolution to the parent or guardian or unaccompanied youth. While the school of best interest is being determined the child must be enrolled in the school of the parents' choice until a final decision is made.
- Q. Which school district is responsible for providing transportation to the school of best interest?**
- A. If the school of origin and the school of residence can not agree upon providing transportation, then McKinney-Vento requires the school districts to share the responsibility and cost for transportation equally.
- Q. Are migrant children considered homeless?**
- A. The McKinney-Vento Act definition of homeless children and youths makes specific reference to "migratory children". Therefore, migrant children's circumstances should be reviewed with this definition in mind. Many migrant families share housing. Not all families who "double up" consider themselves homeless; sometimes families choose to live together. Other families are forced to double up because they've been made homeless due to unforeseen circumstances or because the immediacy of a circumstance requires sharing a residence. Migrant children residing in a fixed, regular, and

adequate nighttime residence may not appear to be homeless; however, by definition, migrant families/children are highly mobile and often resort to residing in substandard housing. Therefore, the house they live in may not be fixed, regular or adequate. School districts should review the McKinney-Vento definition of homeless and evaluate each situation on a case-by-case basis.

**Q. Are families living in Section 8 housing considered homeless? Are families living in transitional housing considered homeless?**

- A. The U.S. Department of Housing and Urban Development (HUD) Section 8 housing is considered as fixed, regular and part of a permanent housing plan. Other HUD housing is designed to serve as transitional housing for no more than two years at a time. School personnel will need to review the terms of housing contracts to determine if they are Section 8 (fixed, regular) or transitional (time limitations are imposed). For more information regarding HUD requirements go to:  
[http://portal.hud.gov/hudportal/HUD?src=/program\\_offices/comm\\_planning/homeless](http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/homeless)

**Q. What if the student remains in transitional housing for four years, would they be considered homeless for all 4 years?**

- A. For HUD purposes some transitional housing is defined as two years or less. In cases where transitional housing is not supplied by HUD, the district may have to review the student's circumstances to determine whether or not the student remains homeless. For example, if a student continues to reside in a shelter or in some other housing that is not intended to be fixed and regular or is not adequate, then the student is defined as homeless under the McKinney-Vento definition of homeless. Homelessness is not always temporary; sometimes it's chronic.

**Q. A family is sharing the housing of other persons for one year. During the year the children were transported to their school of origin in another district. A new school year is about to begin. Is the school that transported/enrolled them last year required to do so again? Or should the family enroll in their school district of residence? How long is a school district required to transport/enroll doubled up extended situations?**

- A. Homelessness is not limited in time and can, over time, become chronic. Therefore, the district of origin should review the family's current living situation for purposes of determining whether the family remains homeless. For example, a family may have lost their home in a fire. If the home is being re-built, but is not yet finished, then the family may still be homeless. This question can only be answered by reviewing the McKinney-Vento definition of homeless and determining whether the family still falls within that definition.

**Q. A district has a family that has been living in a hotel located in another district for three years. The children have been transported and enrolled each year in the non-resident district. Does the non-resident district have to continue to enroll and transport them for the fourth year since the once temporary situation now seems permanent?**

- A. While living temporarily in a hotel qualifies as homeless, the above situation may not be considered fixed, regular, and adequate enough to stop providing McKinney-Vento services to the students. The school must determine whether the living arrangement is due to the lack of an alternative adequate accommodation.

**Q. What if a family is homeless during one school year and the next year they are still homeless, what does a school district have to do to provide services for that child?**

- A. If a child is homeless during one school year they can receive services for the remainder of that school year as a homeless child. If the child returns to the school district the next school year claiming to be homeless, the homeless liaison should reevaluate the situation prior to determining whether the child should remain in the district. Some questions to consider are: What is the family's

current housing situation? Does it continue to meet one of the definitions of homeless under McKinney-Vento or § 167.020, RSMo? Is the child staying in the same location or is it a different location from the previous school year? What are the parents' plans? How far is it between the school of origin and the district of residence? Would it be in the child's best interest to enroll in the district of residence at the start of the new school year? What are the parents' plans?

- Q. A homeless student violates the Safe Schools Act and is suspended or expelled from the school of origin. Is the school of residence required to immediately enroll this student?**
- A. Any time the enrolling district knows that a student has been suspended or expelled from another school as the consequence of the Safe Schools Act, the district must review its written discipline policy to determine if it would have suspended or expelled the student for the same reason. If so, the district would not have to enroll the student until such time as the suspension or expulsion expires. If the homeless student has an IEP, the school in which the student was enrolled must continue to provide a free and adequate education as required under the IDEA. If the district does not know about the Safe Schools Act violation, the student should be enrolled until the district receives the student's disciplinary record from the school he/she previously attended. If the district has reason to suspect that a child poses an immediate danger to others the superintendent may convene a hearing within five working days of the request to enroll to determine the appropriate course of action.
- Q. Are there reliable web sources of information I can refer to when I have questions about educating homeless children and youth?**
- A. The Department's "Homeless Children and Youth Program" website is available at:  
<http://dese.mo.gov/quality-schools/federal-programs/homeless-children-youth>

This site provides links to useful informational sources such as the National Center for Homeless Education (NCHE) and the National Association for the Education of Homeless Children and Youth (NAEHCY).

## **Appendix C**

### **STANDARD COMPLAINT RESOLUTION PROCESS AS IT APPLIES TO DISPUTES REGARDING THE EDUCATION OF HOMELESS CHILDREN AND YOUTH**

Following is the complaint resolution process recommended by DESE when a dispute arises regarding the education of a homeless child or youth:

- I. School District Level -- Every effort must be made to resolve the complaint or dispute at the school district level before it is brought to DESE of Elementary and Secondary Education. It is the responsibility of the school district (the district) to inform the complainant of the district's Complaint Resolution Procedure when a question concerning the education of a homeless child or youth arises.
  - A. Notify the district's homeless liaison. The homeless liaison serves as a liaison between the homeless child and the school the child attends. Someone in the school or in the superintendent's office will be able to identify the homeless liaison.
    1. Request a copy of or access to the district board of education policies addressing the education of homeless children and youths and review them. Make an appointment with the homeless liaison to discuss the complaint.
    2. If the dispute is not resolved after the initial discussion with the district's homeless liaison, the complainant can file a complaint in writing to the district's homeless liaison for further review.
    3. In the complaint include a request that a written proposed resolution of the dispute or a plan of action be provided within five (5) days\* of the date the complaint was received by the district's homeless liaison. A review of the proposal or plan of action with the homeless liaison should follow.
  - B. If the dispute is not resolved at the homeless liaison level, the complaint may be forwarded to the superintendent of the district for review followed by a meeting with the superintendent to discuss the dispute. The complainant should request from the superintendent a written resolution within five (5) days\* of the date of the discussion.
  - C. If the dispute is not resolved at the superintendent level, the complainant may take the matter before the school district board of education for resolution.
- II. State Level -- If the dispute is not resolved in a satisfactory manner at the school district level, the complaint may be brought to DESE. Complaints made under this process must be made in writing and signed by the complainant. The following steps are to be taken:
  - A. Address the complaint to the State Homeless Coordinator,  
Federal Compliance  
P.O. Box 480, Jefferson City, Missouri 65102-0480.



- B. Include in the complaint:
1. a detailed description of the dispute
  2. the name(s) and age(s) of the children involved
  3. the name(s) of involved school district personnel and the district(s) they represent
  4. a description of attempts that were made to resolve the issue at the school district level
- C. The Director of Federal Compliance (the director) will inform the involved school district(s) of the complaint. The director or the director's designee will gather needed information including documentation and statements of the parties and may conduct an independent investigation through an on-site visit if necessary.
- D. Within thirty (30) days\* after receiving a complaint, the director will resolve the complaint and will inform the parties, in writing, of the decision.
- E. If a complainant disagrees with the director's decision, the complainant may, within ten (10) working days, appeal the decision to the Deputy Commissioner of Education. This appeal must be in writing and state why the complainant disagrees with the decision.
- F. Within (thirty) 30 days\*\* after receiving the appeal, the Deputy Commissioner of Education will render a final administrative decision and notify the complainant and all other interested parties in writing.
- G. While the dispute is ongoing, the child(ren) in question must be enrolled in school. If the dispute revolves around which school is the school of best interest for the child, the child shall remain in the school they currently attend until the dispute is resolved, unless arrangements already implemented allow the child to attend the school of origin.

\* The parties may mutually agree on an extension; however every effort should be made to resolve the complaint in the shortest possible time.

\*\* Although the standard procedure allows thirty (30) days for a response, every effort will be made to resolve the complaint in the shortest possible time.

## **Appendix D**

### **The McKinney-Vento Homeless Assistance Act Reauthorized January 2002**

Subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.) is amended to read as follows:

Subtitle B--Education for Homeless Children and Youths

#### **SEC. 721. STATEMENT OF POLICY.**

The following is the policy of the Congress:

(1) Each State educational agency shall ensure that each child of a homeless individual and each homeless youth has equal access to the same free, appropriate public education, including a public preschool education, as provided to other children and youths.

(2) In any State that has a compulsory residency requirement as a component of the State's compulsory school attendance laws or other laws, regulations, practices, or policies that may act as a barrier to the enrollment, attendance, or success in school of homeless children and youths, the State will review and undertake steps to revise such laws, regulations, practices, or policies to ensure that homeless children and youths are afforded the same free, appropriate public education as provided to other children and youths.

(3) Homelessness alone is not sufficient reason to separate students from the mainstream school environment.

(4) Homeless children and youths should have access to the education and other services that such children and youths need to ensure that such children and youths have an opportunity to meet the same challenging State student academic achievement standards to which all students are held.

#### **SEC. 722. GRANTS FOR STATE AND LOCAL ACTIVITIES FOR THE EDUCATION OF HOMELESS CHILDREN AND YOUTHS.**

(a) GENERAL AUTHORITY- The Secretary is authorized to make grants to States in accordance with the provisions of this section to enable such States to carry out the activities described in subsections (d) through (g).

(b) APPLICATION- No State may receive a grant under this section unless the State educational agency submits an application to the Secretary at such time, in such manner, and containing or accompanied by such information as the Secretary may reasonably require.

#### **(c) ALLOCATION AND RESERVATIONS-**

(1) ALLOCATION- (A) Subject to subparagraph (B), the Secretary is authorized to allot to each State an amount that bears the same ratio to the amount appropriated for such year under section 726 that remains after the Secretary reserves funds under paragraph (2) and uses funds to carry out section 724(d) and (h), as the amount allocated under section 1122 of the Elementary and

Secondary Education Act of 1965 to the State for that year bears to the total amount allocated under section 1122 of such Act to all States for that year, except that no State shall receive less than the greater of--

(i) \$150,000;

(ii) one-fourth of 1 percent of the amount appropriated under section 726 for that year; or

(iii) the amount such State received under this section for fiscal year 2001.

(B) If there are insufficient funds in a fiscal year to allot to each State the minimum amount under subparagraph (A), the Secretary shall ratably reduce the allotments to all States based on the proportionate share that each State received under this subsection for the preceding fiscal year.

(2) RESERVATIONS- (A) The Secretary is authorized to reserve 0.1 percent of the amount appropriated for each fiscal year under section 726 to be allocated by the Secretary among the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, according to their respective need for assistance under this subtitle, as determined by the Secretary.

(B)(i) The Secretary shall transfer 1 percent of the amount appropriated for each fiscal year under section 726 to the Department of the Interior for programs for Indian students served by schools funded by the Secretary of the Interior, as determined under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.), that are consistent with the purposes of the programs described in this subtitle.

(ii) The Secretary and the Secretary of the Interior shall enter into an agreement, consistent with the requirements of this subtitle, for the distribution and use of the funds described in clause (i) under terms that the Secretary determines best meet the purposes of the programs described in this subtitle. Such agreement shall set forth the plans of the Secretary of the Interior for the use of the amounts transferred, including appropriate goals, objectives, and milestones.

(3) STATE DEFINED- For purposes of this subsection, the term 'State' does not include the United States Virgin Islands, Guam, American Samoa, or the Commonwealth of the Northern Mariana Islands.

(d) ACTIVITIES- Grants under this section shall be used for the following:

(1) To carry out the policies set forth in section 721 in the State.

(2) To provide activities for, and services to, homeless children, including preschool-aged homeless children, and youths that enable such children and youths to enroll in, attend, and succeed in school, or, if appropriate, in preschool programs.

(3) To establish or designate an Office of Coordinator for Education of Homeless Children and Youths in the State educational agency in accordance with subsection (f).

(4) To prepare and carry out the State plan described in subsection (g).

(5) To develop and implement professional development programs for school personnel to heighten their awareness of, and capacity to respond to, specific problems in the education of homeless children and youths.

(e) STATE AND LOCAL SUBGRANTS

(1) **MINIMUM DISBURSEMENTS BY STATES-** From the sums made available each year to carry out this subtitle, the State educational agency shall distribute not less than 75 percent in subgrants to local educational agencies for the purposes of carrying out section 723, except that States funded at the minimum level set forth in subsection (c)(1) shall distribute not less than 50 percent in subgrants to local educational agencies for the purposes of carrying out section 723.

(2) **USE BY STATE EDUCATIONAL AGENCY-** A State educational agency may use funds made available for State use under this subtitle to conduct activities under subsection (f) directly or through grants or contracts.

(3) **PROHIBITION ON SEGREGATING HOMELESS STUDENTS-**

(A) **IN GENERAL-** Except as provided in subparagraph (B) and section 723(a)(2)(B)(ii), in providing a free public education to a homeless child or youth, no State receiving funds under this subtitle shall segregate such child or youth in a separate school, or in a separate program within a school, based on such child's or youth's status as homeless.

(B) **EXCEPTION-** Notwithstanding subparagraph (A), paragraphs (1)(J)(i) and (3) of subsection (g), section 723(a)(2), and any other provision of this subtitle relating to the placement of homeless children or youths in schools, a State that has a separate school for homeless children or youths that was operated in fiscal year 2000 in a covered county shall be eligible to receive funds under this subtitle for programs carried out in such school if—

(i) the school meets the requirements of subparagraph (C);

(ii) any local educational agency serving a school that the homeless children and youths enrolled in the separate school are eligible to attend meets the requirements of subparagraph (E); and

(iii) the State is otherwise eligible to receive funds under this subtitle.

(C) **SCHOOL REQUIREMENTS-** For the State to be eligible under subparagraph (B) to receive funds under this subtitle, the school described in such subparagraph shall—

(i) provide written notice, at the time any child or youth seeks enrollment in such school, and at least twice annually while the child or youth is enrolled in such school, to the parent or guardian of the child or youth (or, in the case of an unaccompanied youth, the youth) that—

(I) shall be signed by the parent or guardian (or, in the case of an unaccompanied youth, the youth);

(II) sets forth the general rights provided under this subtitle;

(III) specifically states—

(aa) the choice of schools homeless children and youths are eligible to attend, as provided in subsection (g)(3)(A);

(bb) that no homeless child or youth is required to attend a separate school for homeless children or youths;

(cc) that homeless children and youths shall be provided comparable services described in subsection (g)(4), including transportation services, educational services, and meals through school meals programs; and

(dd) that homeless children and youths should not be stigmatized by school personnel; and

(IV) provides contact information for the local liaison for homeless children and youths and the State Coordinator for Education of Homeless Children and Youths;

(ii)(I) provide assistance to the parent or guardian of each homeless child or youth (or, in the case of an unaccompanied youth, the youth) to exercise the right to attend the parent's or guardian's (or youth's) choice of schools, as provided in subsection (g)(3)(A); and

(II) coordinate with the local educational agency with jurisdiction for the school selected by the parent or guardian (or youth), to provide transportation and other necessary services;

(iii) ensure that the parent or guardian (or, in the case of an unaccompanied youth, the youth) shall receive the information required by this subparagraph in a manner and form understandable to such parent or guardian (or youth), including, if necessary and to the extent feasible, in the native language of such parent or guardian (or youth); and

(iv) demonstrate in the school's application for funds under this subtitle that such school—

(I) is complying with clauses (i) and (ii); and

(II) is meeting (as of the date of submission of the application) the same Federal and State standards, regulations, and mandates as other public schools in the State (such as complying with sections 1111 and 1116 of the Elementary and Secondary Education Act of 1965 and providing a full range of education and related services, including services applicable to students with disabilities).

(D) SCHOOL INELIGIBILITY- A separate school described in subparagraph (B) that fails to meet the standards, regulations, and mandates described in subparagraph (C)(iv)(II) shall not be eligible to receive funds under this subtitle for programs carried out in such school after the first date of such failure.

(E) LOCAL EDUCATIONAL AGENCY REQUIREMENTS- For the State to be eligible to receive the funds described in subparagraph (B), the local educational agency described in subparagraph (B)(ii) shall—

(i) implement a coordinated system for ensuring that homeless children and youths—

(I) are advised of the choice of schools provided in subsection (g)(3)(A);

(II) are immediately enrolled, in accordance with subsection (g)(3)(C), in the school selected under subsection (g)(3)(A); and

(III) are promptly provided necessary services described in subsection (g)(4), including transportation, to allow homeless children and youths to exercise their choices of schools under subsection (g)(3)(A);

(ii) document that written notice has been provided--

(I) in accordance with subparagraph (C)(i) for each child or youth enrolled in a separate school under subparagraph (B); and

(II) in accordance with subsection (g)(6)(A)(v);

(iii) prohibit schools within the agency's jurisdiction from referring homeless children or youths to, or requiring homeless children and youths to enroll in or attend, a separate school described in subparagraph (B);

(iv) identify and remove any barriers that exist in schools within the agency's jurisdiction that may have contributed to the creation or existence of separate schools described in subparagraph (B); and

(v) not use funds received under this subtitle to establish—

(I) new or additional separate schools for homeless children or youths; or

(II) new or additional sites for separate schools for homeless children or youths, other than the sites occupied by the schools described in subparagraph (B) in fiscal year 2000.

**(F) REPORT-**

(i) **PREPARATION-** The Secretary shall prepare a report on the separate schools and local educational agencies described in subparagraph (B) that receive funds under this subtitle in accordance with this paragraph. The report shall contain, at a minimum, information on—

(I) compliance with all requirements of this paragraph;

(II) barriers to school access in the school districts served by the local educational agencies; and

(III) the progress the separate schools are making in integrating homeless children and youths into the mainstream school environment, including the average length of student enrollment in such schools.

(ii) **COMPLIANCE WITH INFORMATION REQUESTS-** For purposes of enabling the Secretary to prepare the report, the separate schools and local educational agencies shall cooperate with the Secretary and the State Coordinator for Education of Homeless Children and Youths established in the State under subsection (d)(3), and shall comply with any requests for information by the Secretary and State Coordinator for such State.

(iii) **SUBMISSION-** Not later than 2 years after the date of enactment of the McKinney-Vento Homeless Education Assistance Improvements Act of 2001, the Secretary shall submit the report described in clause (i) to—

(I) the President;

(II) the Committee on Education and the Workforce of the House of Representatives; and

(III) the Committee on Health, Education, Labor, and Pensions of the Senate.

(G) **DEFINITION-** For purposes of this paragraph, the term 'covered county' means—

(i) San Joaquin County, California;

(ii) Orange County, California;

(iii) San Diego County, California; and

(iv) Maricopa County, Arizona.

(f) FUNCTIONS OF THE OFFICE OF COORDINATOR- The Coordinator for Education of Homeless Children and Youths established in each State shall—

(1) gather reliable, valid, and comprehensive information on the nature and extent of the problems homeless children and youths have in gaining access to public preschool programs and to public elementary schools and secondary schools, the difficulties in identifying the special needs of such children and youths, any progress made by the State educational agency and local educational agencies in the State in addressing such problems and difficulties, and the success of the programs under this subtitle in allowing homeless children and youths to enroll in, attend, and succeed in, school;

(2) develop and carry out the State plan described in subsection (g);

(3) collect and transmit to the Secretary, at such time and in such manner as the Secretary may require, a report containing such information as the Secretary determines is necessary to assess the educational needs of homeless children and youths within the State;

(4) facilitate coordination between the State educational agency, the State social services agency, and other agencies (including agencies providing mental health services) to provide services to homeless children, including preschool-aged homeless children, and youths, and to families of such children and youths;

(5) in order to improve the provision of comprehensive education and related services to homeless children and youths and their families, coordinate and collaborate with—

(A) educators, including child development and preschool program personnel;

(B) providers of services to homeless and runaway children and youths and homeless families (including domestic violence agencies, shelter operators, transitional housing facilities, runaway and homeless youth centers, and transitional living programs for homeless youths);

(C) local educational agency liaisons designated under subsection (g)(1)(J)(ii) for homeless children and youths; and

(D) community organizations and groups representing homeless children and youths and their families; and

(6) provide technical assistance to local educational agencies in coordination with local educational agency liaisons designated under subsection (g)(1)(J)(ii), to ensure that local educational agencies comply with the requirements of section 722(e)(3) and paragraphs (3) through (7) of subsection (g).

(g) STATE PLAN-

(1) IN GENERAL- Each State shall submit to the Secretary a plan to provide for the education of homeless children and youths within the State. Such plan shall include the following:

- (A) A description of how such children and youths are (or will be) given the opportunity to meet the same challenging State academic achievement standards all students are expected to meet.
- (B) A description of the procedures the State educational agency will use to identify such children and youths in the State and to assess their special needs.
- (C) A description of procedures for the prompt resolution of disputes regarding the educational placement of homeless children and youths.
- (D) A description of programs for school personnel (including principals, attendance officers, teachers, enrollment personnel, and pupil services personnel) to heighten the awareness of such personnel of the specific needs of runaway and homeless youths.
- (E) A description of procedures that ensure that homeless children and youths who meet the relevant eligibility criteria are able to participate in Federal, State, or local food programs.
- (F) A description of procedures that ensure that—
- (i) homeless children have equal access to the same public preschool programs, administered by the State agency, as provided to other children in the State;
  - (ii) homeless youths and youths separated from the public schools are identified and accorded equal access to appropriate secondary education and support services; and
  - (iii) homeless children and youths who meet the relevant eligibility criteria are able to participate in Federal, State, or local before- and after-school care programs.
- (G) Strategies to address problems identified in the report provided to the Secretary under subsection (f)(3).
- (H) Strategies to address other problems with respect to the education of homeless children and youths, including problems resulting from enrollment delays that are caused by—
- (i) immunization and medical records requirements;
  - (ii) residency requirements;
  - (iii) lack of birth certificates, school records, or other documentation;
  - (iv) guardianship issues; or
  - (v) uniform or dress code requirements.
- (I) A demonstration that the State educational agency and local educational agencies in the State have developed, and shall review and revise, policies to remove barriers to the enrollment and retention of homeless children and youths in schools in the State.
- (J) Assurances that—
- (i) the State educational agency and local educational agencies in the State will adopt policies and practices to ensure that homeless children and youths are not stigmatized or segregated on the basis of their status as homeless;



(ii) local educational agencies will designate an appropriate staff person, who may also be a coordinator for other Federal programs, as a local educational agency liaison for homeless children and youths, to carry out the duties described in paragraph (6)(A); and

(iii) the State and its local educational agencies will adopt policies and practices to ensure that transportation is provided, at the request of the parent or guardian (or in the case of an unaccompanied youth, the liaison), to and from the school of origin, as determined in paragraph (3)(A), in accordance with the following, as applicable:

(I) If the homeless child or youth continues to live in the area served by the local educational agency in which the school of origin is located, the child's or youth's transportation to and from the school of origin shall be provided or arranged by the local educational agency in which the school of origin is located.

(II) If the homeless child's or youth's living arrangements in the area served by the local educational agency of origin terminate and the child or youth, though continuing his or her education in the school of origin, begins living in an area served by another local educational agency, the local educational agency of origin and the local educational agency in which the homeless child or youth is living shall agree upon a method to apportion the responsibility and costs for providing the child with transportation to and from the school of origin. If the local educational agencies are unable to agree upon such method, the responsibility and costs for transportation shall be shared equally.

## (2) COMPLIANCE-

(A) IN GENERAL- Each plan adopted under this subsection shall also describe how the State will ensure that local educational agencies in the State will comply with the requirements of paragraphs (3) through (7).

(B) COORDINATION- Such plan shall indicate what technical assistance the State will furnish to local educational agencies and how compliance efforts will be coordinated with the local educational agency liaisons designated under paragraph (1)(J)(ii).

## (3) LOCAL EDUCATIONAL AGENCY REQUIREMENTS-

(A) IN GENERAL- The local educational agency serving each child or youth to be assisted under this subtitle shall, according to the child's or youth's best interest—

(i) continue the child's or youth's education in the school of origin for the duration of homelessness—

(I) in any case in which a family becomes homeless between academic years or during an academic year; or

(II) for the remainder of the academic year, if the child or youth becomes permanently housed during an academic year; or

(ii) enroll the child or youth in any public school that nonhomeless students who live in the attendance area in which the child or youth is actually living are eligible to attend.

(B) BEST INTEREST- In determining the best interest of the child or youth under subparagraph (A), the local educational agency shall—

(i) to the extent feasible, keep a homeless child or youth in the school of origin, except when doing so is contrary to the wishes of the child's or youth's parent or guardian;

(ii) provide a written explanation, including a statement regarding the right to appeal under subparagraph (E), to the homeless child's or youth's parent or guardian, if the local educational agency sends such child or youth to a school other than the school of origin or a school requested by the parent or guardian; and

(iii) in the case of an unaccompanied youth, ensure that the homeless liaison designated under paragraph (1)(J)(ii) assists in placement or enrollment decisions under this subparagraph, considers the views of such unaccompanied youth, and provides notice to such youth of the right to appeal under subparagraph (E).

(C) ENROLLMENT- (i) The school selected in accordance with this paragraph shall immediately enroll the homeless child or youth, even if the child or youth is unable to produce records normally required for enrollment, such as previous academic records, medical records, proof of residency, or other documentation.

(ii) The enrolling school shall immediately contact the school last attended by the child or youth to obtain relevant academic and other records.

(iii) If the child or youth needs to obtain immunizations, or immunization or medical records, the enrolling school shall immediately refer the parent or guardian of the child or youth to the local educational agency liaison designated under paragraph (1)(J)(ii), who shall assist in obtaining necessary immunizations, or immunization or medical records, in accordance with subparagraph (D).

(D) RECORDS- Any record ordinarily kept by the school, including immunization or medical records, academic records, birth certificates, guardianship records, and evaluations for special services or programs, regarding each homeless child or youth shall be maintained—

(i) so that the records are available, in a timely fashion, when a child or youth enters a new school or school district; and

(ii) in a manner consistent with section 444 of the General Education Provisions Act (20 U.S.C. 1232g).

(E) ENROLLMENT DISPUTES- If a dispute arises over school selection or enrollment in a school—

(i) the child or youth shall be immediately admitted to the school in which enrollment is sought, pending resolution of the dispute;

(ii) the parent or guardian of the child or youth shall be provided with a written explanation of the school's decision regarding school selection or enrollment, including the rights of the parent, guardian, or youth to appeal the decision;

(iii) the child, youth, parent, or guardian shall be referred to the local educational agency liaison designated under paragraph (1)(J)(ii), who shall carry out the dispute resolution process as described in paragraph (1)(C) as expeditiously as possible after receiving notice of the dispute; and

(iv) in the case of an unaccompanied youth, the homeless liaison shall ensure that the youth is immediately enrolled in school pending resolution of the dispute.

(F) PLACEMENT CHOICE- The choice regarding placement shall be made regardless of whether the child or youth lives with the homeless parents or has been temporarily placed elsewhere.

(G) **SCHOOL OF ORIGIN DEFINED-** In this paragraph, the term 'school of origin' means the school that the child or youth attended when permanently housed or the school in which the child or youth was last enrolled.

(H) **CONTACT INFORMATION-** Nothing in this subtitle shall prohibit a local educational agency from requiring a parent or guardian of a homeless child to submit contact information.

(4) **COMPARABLE SERVICES-** Each homeless child or youth to be assisted under this subtitle shall be provided services comparable to services offered to other students in the school selected under paragraph (3), including the following:

(A) Transportation services.

(B) Educational services for which the child or youth meets the eligibility criteria, such as services provided under title I of the Elementary and Secondary Education Act of 1965 or similar State or local programs, educational programs for children with disabilities, and educational programs for students with limited English proficiency.

(C) Programs in vocational and technical education.

(D) Programs for gifted and talented students.

(E) School nutrition programs.

(5) **COORDINATION-**

(A) **IN GENERAL-** Each local educational agency serving homeless children and youths that receives assistance under this subtitle shall coordinate--

(i) the provision of services under this subtitle with local social services agencies and other agencies or programs providing services to homeless children and youths and their families, including services and programs funded under the Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.); and

(ii) with other local educational agencies on interdistrict issues, such as transportation or transfer of school records.

(B) **HOUSING ASSISTANCE-** If applicable, each State educational agency and local educational agency that receives assistance under this subtitle shall coordinate with State and local housing agencies responsible for developing the comprehensive housing affordability strategy described in section 105 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12705) to minimize educational disruption for children and youths who become homeless.

(C) **COORDINATION PURPOSE-** The coordination required under subparagraphs (A) and (B) shall be designed to—

(i) ensure that homeless children and youths have access and reasonable proximity to available education and related support services; and

(ii) raise the awareness of school personnel and service providers of the effects of short-term stays in a shelter and other challenges associated with homelessness.

## (6) LOCAL EDUCATIONAL AGENCY LIAISON-

(A) DUTIES- Each local educational agency liaison for homeless children and youths, designated under paragraph (1)(J)(ii), shall ensure that—

(i) homeless children and youths are identified by school personnel and through coordination activities with other entities and agencies;

(ii) homeless children and youths enroll in, and have a full and equal opportunity to succeed in, schools of that local educational agency;

(iii) homeless families, children, and youths receive educational services for which such families, children, and youths are eligible, including Head Start and Even Start programs and preschool programs administered by the local educational agency, and referrals to health care services, dental services, mental health services, and other appropriate services;

(iv) the parents or guardians of homeless children and youths are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children;

(v) public notice of the educational rights of homeless children and youths is disseminated where such children and youths receive services under this Act, such as schools, family shelters, and soup kitchens;

(vi) enrollment disputes are mediated in accordance with paragraph (3)(E); and

(vii) the parent or guardian of a homeless child or youth, and any unaccompanied youth, is fully informed of all transportation services, including transportation to the school of origin, as described in paragraph (1)(J)(iii), and is assisted in accessing transportation to the school that is selected under paragraph (3)(A).

(B) NOTICE- State coordinators established under subsection (d)(3) and local educational agencies shall inform school personnel, service providers, and advocates working with homeless families of the duties of the local educational agency liaisons.

(C) LOCAL AND STATE COORDINATION- Local educational agency liaisons for homeless children and youths shall, as a part of their duties, coordinate and collaborate with State coordinators and community and school personnel responsible for the provision of education and related services to homeless children and youths.

## (7) REVIEW AND REVISIONS-

(A) IN GENERAL- Each State educational agency and local educational agency that receives assistance under this subtitle shall review and revise any policies that may act as barriers to the enrollment of homeless children and youths in schools that are selected under paragraph (3).

(B) CONSIDERATION- In reviewing and revising such policies, consideration shall be given to issues concerning transportation, immunization, residency, birth certificates, school records and other documentation, and guardianship.

(C) SPECIAL ATTENTION- Special attention shall be given to ensuring the enrollment and attendance of homeless children and youths who are not currently attending school.

**SEC. 723. LOCAL EDUCATIONAL AGENCY SUBGRANTS FOR THE EDUCATION OF HOMELESS CHILDREN AND YOUTHS.**

**(a) GENERAL AUTHORITY-**

(1) **IN GENERAL-** The State educational agency shall, in accordance with section 722(e), and from amounts made available to such agency under section 726, make subgrants to local educational agencies for the purpose of facilitating the enrollment, attendance, and success in school of homeless children and youths.

**(2) SERVICES-**

**(A) IN GENERAL-** Services under paragraph (1)—

(i) may be provided through programs on school grounds or at other facilities;

(ii) shall, to the maximum extent practicable, be provided through existing programs and mechanisms that integrate homeless children and youths with nonhomeless children and youths; and

(iii) shall be designed to expand or improve services provided as part of a school's regular academic program, but not to replace such services provided under such program.

**(B) SERVICES ON SCHOOL GROUNDS-** If services under paragraph (1) are provided on school grounds, schools—

(i) may use funds under this subtitle to provide the same services to other children and youths who are determined by the local educational agency to be at risk of failing in, or dropping out of, school, subject to the requirements of clause (ii); and

(ii) except as otherwise provided in section 722(e)(3)(B), shall not provide services in settings within a school that segregate homeless children and youths from other children and youths, except as necessary for short periods of time—

**(I)** for health and safety emergencies; or

**(II)** to provide temporary, special, and supplementary services to meet the unique needs of homeless children and youths.

**(3) REQUIREMENT-** Services provided under this section shall not replace the regular academic program and shall be designed to expand upon or improve services provided as part of the school's regular academic program.

**(b) APPLICATION-** A local educational agency that desires to receive a subgrant under this section shall submit an application to the State educational agency at such time, in such manner, and containing or accompanied by such information as the State educational agency may reasonably require. Such application shall include the following:

(1) An assessment of the educational and related needs of homeless children and youths in the area served by such agency (which may be undertaken as part of needs assessments for other disadvantaged groups).

(2) A description of the services and programs for which assistance is sought to address the needs identified in paragraph (1).

(3) An assurance that the local educational agency's combined fiscal effort per student, or the aggregate expenditures of that agency and the State with respect to the provision of free public education by such agency for the fiscal year preceding the fiscal year for which the determination is made, was not less than 90 percent of such combined fiscal effort or aggregate expenditures for the second fiscal year preceding the fiscal year for which the determination is made.

(4) An assurance that the applicant complies with, or will use requested funds to comply with, paragraphs (3) through (7) of section 722(g).

(5) A description of policies and procedures, consistent with section 722(e)(3), that the agency will implement to ensure that activities carried out by the agency will not isolate or stigmatize homeless children and youths.

(c) AWARDS-

(1) IN GENERAL- The State educational agency shall, in accordance with the requirements of this subtitle and from amounts made available to it under section 726, make competitive subgrants to local educational agencies that submit applications under subsection (b). Such subgrants shall be awarded on the basis of the need of such agencies for assistance under this subtitle and the quality of the applications submitted.

(2) NEED- In determining need under paragraph (1), the State educational agency may consider the number of homeless children and youths enrolled in preschool, elementary, and secondary schools within the area served by the local educational agency, and shall consider the needs of such children and youths and the ability of the local educational agency to meet such needs. The State educational agency may also consider the following:

(A) The extent to which the proposed use of funds will facilitate the enrollment, retention, and educational success of homeless children and youths.

(B) The extent to which the application--

(i) reflects coordination with other local and State agencies that serve homeless children and youths; and

(ii) describes how the applicant will meet the requirements of section 722(g)(3).

(C) The extent to which the applicant exhibits in the application and in current practice a commitment to education for all homeless children and youths.

(D) Such other criteria as the State agency determines appropriate.

(3) QUALITY- In determining the quality of applications under paragraph (1), the State educational agency shall consider the following:

(A) The applicant's needs assessment under subsection (b)(1) and the likelihood that the program presented in the application will meet such needs.

(B) The types, intensity, and coordination of the services to be provided under the program.

(C) The involvement of parents or guardians of homeless children or youths in the education of their children.

(D) The extent to which homeless children and youths will be integrated within the regular education program.

(E) The quality of the applicant's evaluation plan for the program.

(F) The extent to which services provided under this subtitle will be coordinated with other services available to homeless children and youths and their families.

(G) Such other measures as the State educational agency considers indicative of a high-quality program, such as the extent to which the local educational agency will provide case management or related services to unaccompanied youths.

(4) DURATION OF GRANTS- Grants awarded under this section shall be for terms not to exceed 3 years.

(d) AUTHORIZED ACTIVITIES- A local educational agency may use funds awarded under this section for activities that carry out the purpose of this subtitle, including the following:

(1) The provision of tutoring, supplemental instruction, and enriched educational services that are linked to the achievement of the same challenging State academic content standards and challenging State student academic achievement standards the State establishes for other children and youths.

(2) The provision of expedited evaluations of the strengths and needs of homeless children and youths, including needs and eligibility for programs and services (such as educational programs for gifted and talented students, children with disabilities, and students with limited English proficiency, services provided under title I of the Elementary and Secondary Education Act of 1965 or similar State or local programs, programs in vocational and technical education, and school nutrition programs).

(3) Professional development and other activities for educators and pupil services personnel that are designed to heighten the understanding and sensitivity of such personnel to the needs of homeless children and youths, the rights of such children and youths under this subtitle, and the specific educational needs of runaway and homeless youths.

(4) The provision of referral services to homeless children and youths for medical, dental, mental, and other health services.

(5) The provision of assistance to defray the excess cost of transportation for students under section 722(g)(4)(A), not otherwise provided through Federal, State, or local funding, where necessary to enable students to attend the school selected under section 722(g)(3).

(6) The provision of developmentally appropriate early childhood education programs, not otherwise provided through Federal, State, or local funding, for preschool-aged homeless children.

(7) The provision of services and assistance to attract, engage, and retain homeless children and youths, and unaccompanied youths, in public school programs and services provided to nonhomeless children and youths.

- (8) The provision for homeless children and youths of before- and after-school, mentoring, and summer programs in which a teacher or other qualified individual provides tutoring, homework assistance, and supervision of educational activities.
- (9) If necessary, the payment of fees and other costs associated with tracking, obtaining, and transferring records necessary to enroll homeless children and youths in school, including birth certificates, immunization or medical records, academic records, guardianship records, and evaluations for special programs or services.
- (10) The provision of education and training to the parents of homeless children and youths about the rights of, and resources available to, such children and youths.
- (11) The development of coordination between schools and agencies providing services to homeless children and youths, as described in section 722(g)(5).
- (12) The provision of pupil services (including violence prevention counseling) and referrals for such services.
- (13) Activities to address the particular needs of homeless children and youths that may arise from domestic violence.
- (14) The adaptation of space and purchase of supplies for any nonschool facilities made available under subsection (a)(2) to provide services under this subsection.
- (15) The provision of school supplies, including those supplies to be distributed at shelters or temporary housing facilities, or other appropriate locations.
- (16) The provision of other extraordinary or emergency assistance needed to enable homeless children and youths to attend school.

#### SEC. 724. SECRETARIAL RESPONSIBILITIES.

- (a) REVIEW OF STATE PLANS- In reviewing the State plan submitted by a State educational agency under section 722(g), the Secretary shall use a peer review process and shall evaluate whether State laws, policies, and practices described in such plan adequately address the problems of homeless children and youths relating to access to education and placement as described in such plan.
- (b) TECHNICAL ASSISTANCE- The Secretary shall provide support and technical assistance to a State educational agency to assist such agency in carrying out its responsibilities under this subtitle, if requested by the State educational agency.
- (c) NOTICE- The Secretary shall, before the next school year that begins after the date of enactment of the McKinney-Vento Homeless Education Assistance Improvements Act of 2001, create and disseminate nationwide a public notice of the educational rights of homeless children and youths and disseminate such notice to other Federal agencies, programs, and grantees, including Head Start grantees, Health Care for the Homeless grantees, Emergency Food and Shelter grantees, and homeless assistance programs administered by the Department of Housing and Urban Development.
- (d) EVALUATION AND DISSEMINATION- The Secretary shall conduct evaluation and dissemination activities of programs designed to meet the educational needs of homeless elementary and secondary school students, and may use funds appropriated under section 726 to conduct such activities.



(e) **SUBMISSION AND DISTRIBUTION-** The Secretary shall require applications for grants under this subtitle to be submitted to the Secretary not later than the expiration of the 60-day period beginning on the date that funds are available for purposes of making such grants and shall make such grants not later than the expiration of the 120-day period beginning on such date.

(f) **DETERMINATION BY SECRETARY-** The Secretary, based on the information received from the States and information gathered by the Secretary under subsection (h), shall determine the extent to which State educational agencies are ensuring that each homeless child and homeless youth has access to a free appropriate public education, as described in section 721(1).

(g) **GUIDELINES-** The Secretary shall develop, issue, and publish in the Federal Register, not later than 60 days after the date of enactment of the McKinney-Vento Homeless Education Assistance Improvements Act of 2001, school enrollment guidelines for States with respect to homeless children and youths. The guidelines shall describe—

(1) successful ways in which a State may assist local educational agencies to immediately enroll homeless children and youths in school; and

(2) how a State can review the State's requirements regarding immunization and medical or school records and make such revisions to the requirements as are appropriate and necessary in order to enroll homeless children and youths in school immediately.

(h) **INFORMATION-**

(1) **IN GENERAL-** From funds appropriated under section 726, the Secretary shall, directly or through grants, contracts, or cooperative agreements, periodically collect and disseminate data and information regarding--

(A) the number and location of homeless children and youths;

(B) the education and related services such children and youths receive;

(C) the extent to which the needs of homeless children and youths are being met; and

(D) such other data and information as the Secretary determines to be necessary and relevant to carry out this subtitle.

(2) **COORDINATION-** The Secretary shall coordinate such collection and dissemination with other agencies and entities that receive assistance and administer programs under this subtitle.

(i) **REPORT-** Not later than 4 years after the date of enactment of the McKinney-Vento Homeless Education Assistance Improvements Act of 2001, the Secretary shall prepare and submit to the President and the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a report on the status of education of homeless children and youths, which shall include information on—

(1) the education of homeless children and youths; and

(2) the actions of the Secretary and the effectiveness of the programs supported under this subtitle.

## SEC. 725. DEFINITIONS.

For purposes of this subtitle:

(1) The terms 'enroll' and 'enrollment' include attending classes and participating fully in school activities.

(2) The term 'homeless children and youths'—

(A) means individuals who lack a fixed, regular, and adequate nighttime residence (within the meaning of section 103(a)(1)); and

(B) includes—

(i) children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;

(ii) children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings (within the meaning of section 103(a)(2)(C));

(iii) children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and

(iv) migratory children (as such term is defined in section 1309 of the Elementary and Secondary Education Act of 1965) who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (i) through (iii).

(3) The terms 'local educational agency' and 'State educational agency' have the meanings given such terms in section 9101 of the Elementary and Secondary Education Act of 1965.

(4) The term 'Secretary' means the Secretary of Education.

(5) The term 'State' means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

(6) The term 'unaccompanied youth' includes a youth not in the physical custody of a parent or guardian.

## SEC. 726. AUTHORIZATION OF APPROPRIATIONS.

For the purpose of carrying out this subtitle, there are authorized to be appropriated \$70,000,000 for fiscal year 2002 and such sums as may be necessary for each of fiscal years 2003 through 2007.'

## **Appendix E**

### **PART D—GUIDELINES REGARDING THE USE OF SOCIAL SECURITY NUMBERS AND THE ATTENDANCE AT SCHOOL OF UNDOCUMENTED STUDENTS** (This memo was sent to all district superintendents in January, 1998)

The United States Supreme Court ruled in *Plyler v. Doe*, 457 U.S. 202, 102 S. Ct. 2382 (1982) that a state may not deny undocumented school-aged children entry into the public school system of that state. The Supreme Court overturned a Texas state law denying state aid to school districts admitting undocumented children of parents coming into the country illegally. For Missouri schools, this means that a district cannot deny admission to school or participation in any program based on a student's undocumented status. Any such discrimination would be a denial of the equal protection of the laws in violation of the Fourteenth Amendment of the United States Constitution.

Undocumented students are also protected under the federal law regarding student records. The Family Educational Rights and Privacy Act (FERPA) require that educational student records be kept confidential. Information that may be in school records regarding a student's undocumented status must be kept confidential. Disclosure should be made only after parental consent or based upon express authority provided under FERPA.

The Privacy Act of 1974 addresses the use of social security numbers by federal, state, or local governmental agencies. The Act states, in part that it is:

“unlawful for any federal, state, or local government agency to deny to any individual any right, benefit, or privilege provided by law because of such individual's refusal to disclose his social security number.”

Agencies that collect social security numbers must disclose how that number will be used and the limits of its use. Any request to disclose a social security number must be accompanied by the following statement:

“Any federal, state, or local government agency which requests an individual to disclose his social security number shall inform that individual whether the disclosure is mandatory or voluntary, by what statutory authority such number is solicited, and what uses will be made of it.”

If mandatory disclosure is not specifically authorized under the Privacy Act, then the disclosure is voluntary. A school district may not require disclosure of a social security number or use the refusal of a student to provide a social security number as a basis for denial of enrollment. Instead, districts should have in place a procedure for assigning a school-generated number to use in place of a social security number. Parents completing a free or reduced lunch application should be allowed to write “NONE” in the blank for their children's social security number.

Students enrolling in the Missouri public schools, including those with undocumented status, are exercising a right guaranteed under the laws of the State of Missouri. To deny enrollment based on undocumented status or based on a failure to disclose a social security number violates the equal protection clause of the Fourteenth Amendment and the federal statutes previously cited. School staff responsible for enrolling students must be aware of these requirements. Questions regarding school attendance for students with undocumented status should be directed to Julia Cowell, Director, Federal Programs at 573-751-3468.

# **Appendix F**

## **FUNCTION CODE DESCRIPTIONS**

### **1200: Supplemental Instruction**

Instructional activities designed primarily to deal with pupil exceptionalities. The Special Program Service Area includes pre-kindergarten, kindergarten, elementary and secondary service for the Gifted and Talented, Mentally Retarded, Physically Handicapped, Socially and/or Emotionally Handicapped, Culturally Disadvantaged, Pupils with Learning Disabilities, Bilingual Education, and Other Special Programs for other types of students.

### **1400: Student Activities**

Direct and personal services for public school pupils, such as entertainment, publications, clubs, band and orchestra, that are managed or operated by the student body under the guidance and direction of an adult, and are not a part of the regular instructional program. These activities are characterized by being not-for-credit, other than school hours, interest of students, and partially or wholly self-sustaining via dues and admissions. This code may be incremented sequentially by one to cover the various activities individually.

### **2100: Non Instructional Support Services**

Activities that are designed to assess and improve the well being of pupils and to supplement the teaching process.

### **2200: Professional Development**

Activities that are designed primarily for assisting instructional staff in planning, developing, and evaluating the process of providing learning experiences for pupils. These activities include curriculum development, techniques of instruction, child development and understanding, staff training teacher mentor/professional development, etc.

### **2500: Pupil Transportation**

Activities concerned with providing transportation for students.

### **3000: Community Services**

Activities concerned with providing community services to the community as a whole or for some segment of the community.

## Appendix G

### CORE DATA REPORTING GUIDELINES FOR FEDERAL PROGRAMS

#### Screens 18 and 20 (Exhibit 15)

All federally-funded positions, whether certified or non-certified, are to be reported. This includes **ALL** assignments approved in applications, full or part-time, during or outside of school hours. All positions are to be reported according to what the staff person is actually doing. Reported positions should not be different from what would be observed on site.

Enrollment for elementary teachers funded with federal funds is reported as the total number served for each subject. (Do not list each specific class, i.e. Supplemental Reading six times.) If an elementary teacher is assigned more than one subject, each is listed as a separate assignment with the total enrollment for each subject indicated. If the building is departmentalized, each class is reported as a separate assignment with the enrollment in each class indicated. Paras do not have a caseload; therefore, no enrollment is reported.

Instructional minutes are to be reported per week for each class/assignment. Teachers paid with federal funds have the **same** number of instructional and planning minutes as classroom staff. (See Federal Programs Administrative Manual for further clarification.)

After-school tutoring is to be provided by a certified teacher in small groups and is reported on Screens 18 and 20. The Extra Duty Salary or Career Ladder amount is entered on Screen 18, and may be revised at the end of the school year to reflect the correct amount. On Screen 20 the appropriate code to reflect what the teacher is tutoring (Supplemental Communication Arts/Reading/Math), the weekly minutes, the average weekly number of students, the program code to identify the funding source (Career Ladder would have no program code), and the Delivery System “H” for all before or after-school tutoring are entered. The “H” Delivery System will not increase the teacher’s total instructional minutes. **Note:** Federal funds may not pay for tutoring to meet state guidelines/requirements as in Senate Bill 319.

Teachers who are assisted by a paraprofessional should have the para’s name noted in the “Comment” box. Accordingly, the teacher(s) the para is assisting should be entered in the Comment box on their Screen 20. If course code 887900 (Other Pupil Personnel) is used, enter the specific job title in the “Comment” box.

**Note:** Course codes 994210 (At-Risk), 994020 (Life Skills), and 998800 (ISS) are to be used **ONLY** for Title I Neglected/Delinquent Institution programs or the Title IV.A program as indicated in the following chart.

Certification and training determine the name and course code to be used for Title I Reading programs.

**Note:** There have been some changes in course code numbers. Please refer to the following chart to complete screens 18 and 20 for **all staff** funded with Federal Programs.

(Exhibit 10) Course Number	Program/ Position Title	(Exhibit 13) Program Code	(Exhibit 3) Position Code	(Exhibit 14) Delivery System	(Exhibit 12) Grade Level	Required Certification
	<b>Title X, Part C: Homeless</b>					
881750	<b>Homeless Liaison</b>	14	10	--	--	<b>Any certificate at any grade level or Social Work Degree</b>
888400	<b>Secretary</b>	14	80	--	--	<b>None</b>
See Exhibit 10	<b>Teacher</b>	14	60	--	--	<b>Appropriate teaching certification</b>
----	<b>Early Childhood Educator</b>	14	60	--	PK	<b>Early Childhood (PK)</b>
888200	<b>Para- professional (Teacher Assistant)</b>	14	80	--	PK	<b>60 hrs. or ParaPro Praxis</b>
887600	<b>Nurse</b>	14	70	--	--	<b>Licensed RN</b>
887400	<b>Social Worker</b>	14	70	--	--	<b>Social Work Degree</b>
887900	<b>Case Manager</b>	14	70	--	--	<b>Appropriate training and/or experience</b>
See Exhibit 10	<b>Guidance Counselor</b>	14	50	--	--	<b>Appropriate guidance certificate</b>
----	<b>Personal Assistant (Child Care)</b>	14	90	--	--	<b>Appropriate training and/or experience</b>
889650	<b>Translator for ELL</b>	14	90	--	--	<b>Fluent in English and in translated language</b>

## **Appendix H**

### **MEMORANDUM to ED GRANTEES REGARDING THE USE OF GRANT FUNDS FOR CONFERENCES AND MEETINGS (June 2012)**

This memorandum; from the U.S. Department of Education, is to remind you that grantees must take into account the following factors when considering the use of grant funds for conferences and meetings:

- Before deciding to use grant funds to attend or host a meeting or conference, a grantee should:
  - Ensure that attending or hosting a conference or meeting is consistent with its approved application and is reasonable and necessary to achieve the goals and objectives of the grant;
  - Ensure that the primary purpose of the meeting or conference is to disseminate technical information, (e.g., provide information on specific programmatic requirements, best practices in a particular field, or theoretical, empirical, or methodological advances made in a particular field; conduct training or professional development; plan/coordinate the work being done under the grant); and
  - Consider whether there are more effective or efficient alternatives that can accomplish the desired results at a lower cost, for example, using webinars or video conferencing.
- Grantees must follow all applicable statutory and regulatory requirements in determining whether costs are reasonable and necessary, especially the:
  - Cost Principles for Federal grants set out at 2 CFR Part 225 (OMB Circular A-87, State, Local, and Indian Tribal Governments):  
[http://www.whitehouse.gov/omb/circulars\\_a087\\_2004/](http://www.whitehouse.gov/omb/circulars_a087_2004/)
  - 2 CFR Part 220 (OMB Circular A-21, Educational Institutions),  
[http://www.whitehouse.gov/omb/circulars\\_index-education/](http://www.whitehouse.gov/omb/circulars_index-education/) and
  - 2 CFR 230 (OMB Circular A-122, Non-Profit Organizations)  
[http://www.whitehouse.gov/omb/circulars\\_index-education/](http://www.whitehouse.gov/omb/circulars_index-education/)

In particular, remember that:

- Federal grant funds cannot be used to pay for alcoholic beverages; and
- Federal grant funds cannot be used to pay for entertainment, which includes costs for amusement, diversion, and social activities.
- Grant funds may be used to pay for the costs of attending a conference. Specifically, Federal grant funds may be used to pay for conference fees and travel expenses (transportation, per diem, and lodging) of grantee employees, consultants, or experts to attend a conference or meeting if those expenses are reasonable and necessary to achieve the purposes of the grant.
  - When planning to use grant funds for attending a meeting or conference, grantees should consider how many people should attend the meeting or conference on their behalf. The number of attendees should be reasonable and necessary to accomplish the goals and objectives of the grant.
- A grantee hosting a meeting or conference may not use grant funds to pay for food for conference attendees unless doing so is necessary to accomplish legitimate meeting or conference business.

- A working lunch is an example of a cost for food that might be allowable under a Federal grant if attendance at the lunch is needed to ensure the full participation by conference attendees in essential discussions and speeches concerning the purpose of the conference and to achieve the goals and objectives of the project.
- A meeting or conference hosted by a grantee and charged to a Department grant must not be promoted as a U.S. Department of Education conference. This means that the seal of the U.S. Department of Education must not be used on conference materials or signage without Department approval.
  - All meeting or conference materials paid for with grant funds must include appropriate disclaimers, such as the following:
 

The contents of this (insert type of publication; e.g., book, report, film) were developed under a grant from the Department of Education. However, those contents do not necessarily represent the policy of the Department of Education, and you should not assume endorsement by the Federal Government.
- Grantees are strongly encouraged to contact their project officer with any questions or concerns about whether using grant funds for a meeting or conference is allowable prior to committing grant funds for such purposes.
  - A short conversation could help avoid a costly and embarrassing mistake.
- Grantees are responsible for the proper use of their grant awards and may have to repay funds to the Department if they violate the rules on the use of grant funds, including the rules for meeting- and conference-related expenses.



## **Appendix I**

### UNIFORM ADMINISTRATIVE REQUIREMENTS, COST PRINCIPLES, AND AUDIT REQUIREMENTS FOR FEDERAL AWARDS: TECHNICAL ASSISTANCE FOR ED GRANTEEES

This webpage from the [U.S. Department of Education](#) provides ED grantees with technical assistance regarding the new Uniform Guidance (2 C.F.R. § 200) that went into effect in December 2014. The guidance seeks to streamline and consolidate government requirements for receiving and using federal awards so as to reduce administrative burden and improve outcomes. It was published in the Federal Register (79 Fed. Reg. 75871) on December 19, 2014, and became effective for new and continuation awards issued on or after December 26, 2014.

Visit the [Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards: Technical Assistance for ED Grantees webpage](#).

## **Appendix J**

### **GUIDELINES UNDER THE MCKINNEY-VENTO HOMELESS ASSISTANCE ACT (MCKINNEY-VENTO ACT) AS AMENDED BY THE EVERY STUDENT SUCCEEDS ACT (ESSA).**

<https://www.federalregister.gov/articles/2016/03/17/2016-06073/mckinney-vento-education-for-homeless-children-and-youths-program>

These guidelines address ways in which a State may (1) assist local educational agencies (LEAs) to implement the provisions related to homeless children and youths amended by the ESSA and (2) review and revise policies and procedures that may present barriers to the identification, enrollment, attendance, and success of homeless children and youths in school.

#### **I. Background**

Section 724(g) of the McKinney-Vento Act, as amended by the ESSA (Pub. L. 114-95), requires the Secretary to develop, issue, and publish in the Federal Register guidelines concerning ways in which a State: (1) May assist LEAs to implement the provisions related to homeless children and youths amended by the ESSA and (2) may review and revise policies and procedures that may present barriers to the identification, enrollment, attendance, and success of homeless children and youths in school.

Under the McKinney-Vento Education for Homeless Children and Youth (EHCY) program, which is administered by the U.S. Department of Education's (the Department) Office of Elementary and Secondary Education, State educational agencies (SEAs) must ensure that homeless children and youths have equal access to the same free, appropriate public education, including a public preschool education, as is provided to other children and youths. The SEA and LEAs in the State must review and revise any laws, regulations, practices, or policies that may act as barriers to the identification, enrollment, attendance, or success in school of homeless children and youths. LEAs and schools may not separate homeless students from the mainstream school environment on the basis of their homelessness. Homeless students must also have access to the education and other services that they need to meet the same challenging State academic standards to which all students are held. (Section 721 of the McKinney-Vento Act, as amended by the ESSA).

Following reauthorization of the McKinney-Vento Act by the No Child Left Behind Act of 2001 (NCLB) ([Pub. L. 107-110](#)), the Secretary published a notice in the Federal Register on March 8, 2002 (67 FR 10697), that provided detailed guidelines to help States expedite the school enrollment of homeless children and youths. These guidelines included a review of statutory enrollment provisions related to both SEA and LEA responsibilities and concluded with a discussion of ways in which States have assisted, or may assist, LEAs in immediately enrolling students experiencing homelessness in schools.

Since the McKinney-Vento Act was last reauthorized under NCLB, SEAs and LEAs have made great strides in revising policies that posed barriers to the enrollment and success of homeless children and youths. The ESSA provides a new opportunity for States to review these policies and procedures to address continued barriers to homeless student success, as well as to review and refine policies related to new or changed provisions in the law.

#### **II. Definitions**

Section 725 of the McKinney-Vento Act, as amended by the ESSA, defines the following terms:

(a) *Homeless children and youths* means individuals who lack a fixed, regular, and adequate nighttime residence. The term includes—

- (1) Children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals.
- (2) Children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings.
- (3) Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
- (4) Migratory children (as defined in section 1309 of the Elementary and Secondary Education Act of 1965, as amended), who qualify as homeless because they are living in circumstances described in this definition.

(b) *Enroll and enrollment* include attending classes and participating fully in school activities.

(c) *Unaccompanied youth* includes a homeless child or youth not in the physical custody of a parent or guardian.

### **III. Changes to the EHCY Program Under the ESSA**

The ESSA amended a number of key provisions under the EHCY program. Significant changes affect the following areas of the EHCY program:

#### **(1) State Plans**

State plan requirements have been modified and must include:

(a) A description of procedures to ensure (i) that homeless children and youths separated from public schools are identified and accorded equal access to appropriate secondary education and support services, including by identifying and removing barriers that prevent youths described in this clause from receiving appropriate credit for full or partial coursework satisfactorily completed while attending a prior school, in accordance with State, local, and school policies and (ii) that homeless children and youths who meet the relevant eligibility criteria do not face barriers to accessing academic and extracurricular activities, including magnet school, summer school, career and technical education, advanced placement, online learning, and charter school programs, if such programs are available at the State and local levels. (Section 722(g)(1)(F)(ii-iii)).

(b) A demonstration that SEAs and LEAs have developed policies to remove barriers to the identification, enrollment, and retention of homeless children and youths, including barriers to enrollment and retention due to outstanding fees or fines, or absences. (Section 722(g)(1)(I)).

(c) An assurance that SEAs and LEAs will adopt policies and practices to ensure that LEA liaisons participate in professional development and other technical assistance activities provided by the State Office of the Coordinator for Education of Homeless Children and Youths (Office of the Coordinator). (Section 722(g)(1)(J)(iv)).

(d) A description of how homeless children and youths will receive assistance from counselors to advise such youths, and prepare and improve the readiness of such youths for college. (Section 722(g)(1)(K)).

#### **(2) Functions of the Office of the Coordinator**

The statute now requires the State Coordinator for Education of Homeless Children and Youths (State Coordinator) to:

(a) Make publicly available reliable, valid, and comprehensive information on (i) the number of homeless children and youths identified in the State, which must be posted annually on the State's Web site, and (ii) the

difficulties in identifying the special needs of and barriers to the participation and achievement of homeless children and youths. (Section 722(f)(1)(A) & (C)).

(b) Conduct monitoring of LEAs. (Section 722(f)(5)).

(c) Provide professional development opportunities for LEA personnel, including the LEA liaison for homeless children and youths (LEA liaison), to assist these personnel in identifying and meeting the needs of homeless children and youths and provide training on the Federal definitions of terms related to homelessness. (Section 722(f)(6)).

(d) Respond to inquiries from parents and guardians of homeless children and youths, as well as unaccompanied homeless youths, to ensure that they receive the protections and services required by the McKinney-Vento Act. (Section 722(f)(7)).

(e) In conjunction with LEA liaisons, inform parents and guardians of homeless children and youths, as well as unaccompanied homeless youths, of the duties of LEA liaisons and publish an annually updated list of LEA liaisons on the SEA's Web site. (Section 722(g)(6)(B)).

### **(3) Duties of LEA Liaisons**

The statute now requires LEA liaisons for homeless children and youths to:

(a) Ensure that school personnel providing services under the McKinney-Vento Act receive professional development and other support. (Section 722(g)(6)(A)(ix)).

(b) Ensure that unaccompanied homeless youths (i) are enrolled in school, (ii) have opportunities to meet the same challenging State academic standards as other children and youths, and (iii) are informed of their status as independent students under the Higher Education Act of 1965 and that they may obtain assistance from the LEA liaison to receive verification of such status for purposes of the Free Application for Federal Student Aid. (Section 722(g)(6)(A)(x)).

(c) Ensure that public notice of the educational rights of the homeless children and youths is disseminated in locations frequented by parents or guardians of such youth, and unaccompanied homeless youths, including schools, shelters, public libraries, and soup kitchens, in a manner and form that is understandable. (Section 722(g)(6)(A)(vi)).

In addition, LEA liaisons who receive appropriate training may now affirm that a child or youth who is eligible for and participating in a program provided by the LEA, or the immediate family of such a child or youth, is eligible for homeless assistance programs administered under Title IV of the McKinney-Vento Act. (Section 722(g)(6)(D)).

### **(4) School Stability**

The statute has modified the requirements governing “best interest” determinations to include the following:

(a) The LEA must presume that keeping a homeless child or youth in the school of origin is in the child's or youth's best interest unless doing so is contrary to the request of the child's or youth's parent or guardian, or (in the case of an unaccompanied youth) the youth. (Section 722(g)(3)(B)(i)).

(b) The LEA must consider student-centered factors related to a child's or youth's best interest, giving priority to the request of the child's or youth's parent or guardian, or (in the case of an unaccompanied youth) the youth. (Section 722(g)(3)(B)(ii)).

(c) If the LEA determines that it is not in a child's or youth's best interest to attend the school of origin, or the school requested by the parent, guardian, or unaccompanied youth, it must provide a written explanation of the reasons for its determination, in a manner and form that is understandable. (Section 722(g)(3)(B)(iii)).

#### **(5) Immediate Enrollment**

The ESSA now requires that a school selected based on a homeless child's or youth's best interest must immediately enroll such child or youth even if he or she has missed application or enrollment deadlines during any period of homelessness. (Section 722(g)(3)(C)(i)(II)).

#### **(6) Enrollment Disputes**

The enrollment dispute procedures now encompass eligibility and the protections in those procedures have been clarified. For example, the Office of the State Coordinator now has an explicit duty to respond to inquiries from the parents and guardians of homeless children and youths, which may include eligibility disputes. (Section 722(f)(7)). In addition, if a dispute arises over eligibility, the child or youth shall be immediately enrolled in the school in which enrollment is sought, pending final resolution of the dispute, including all available appeals. (Section 722(g)(3)(E)).

#### **(7) School of Origin**

The definition of "school of origin" now specifically includes preschools and, when a child or youth completes the final grade level served by the school of origin, it also includes the designated receiving school at the next grade level for all feeder schools. (Section 722(g)(3)(I)).

#### **(8) Privacy**

The law now specifies that information about a homeless child's or youth's living situation shall be treated as a student education record, and shall not be deemed to be directory information. (Section 722(g)(3)(G)).

#### **(9) Definition of Homeless Children and Youth**

The definition no longer includes "awaiting foster care placement." The deletion of "awaiting foster care placement" goes into effect on December 10, 2016, in every State except Delaware and Nevada, where the deletion is effective on December 10, 2017. (Section 725(2)(B)(i)).

### **IV. Guidelines for States on Assisting LEAs With the Implementation of EHCY Provisions Amended by the ESSA**

#### **A. State Responsibilities in Assisting LEAs**

In its State plan, an SEA must assure that every LEA in the State designates an appropriate staff person to serve as a LEA liaison. (Section 722(g)(1)(J)(ii)). The LEA liaison will help ensure that homeless children and youths enroll in, and have a full and equal opportunity to succeed in, the schools of that LEA. (Section 722(g)(6)(A)(ii)).

The State Coordinator in each State must, among other things, provide technical assistance to, and conduct monitoring of, LEAs in coordination with LEA liaisons, to ensure that LEAs comply with EHCY program requirements. (Section 722(f)(5)). As described more fully above, State Coordinators also are responsible for providing professional development opportunities for LEA liaisons and other personnel to assist them in carrying out EHCY program requirements. (Section 722(f)(6)). Because the protections afforded to homeless children and youths apply regardless of whether an LEA receives a McKinney-Vento Act subgrant, the State Coordinator must ensure that technical assistance and professional development opportunities are provided to all LEAs.

Through strong leadership, collaboration, and communication with LEA liaisons, the State Coordinator can help ensure that LEAs are aware of, understand, and can successfully implement the changes to the EHCY program under the ESSA. Establishing clear-cut policies and procedures at the State level, and making sure LEAs understand them, will facilitate a smooth transition to and implementation of new and revised EHCY program requirements.

### **B. State Activities That Can Be Effective for Assisting LEAs in Implementing the Provisions in the McKinney-Vento Act, as Amended by the ESSA**

States have many options for ensuring that all LEA liaisons and LEAs receive training and information on changes to the EHCY program resulting from enactment of the ESSA. As previously shared in past guidance and technical assistance, we encourage SEAs to prepare and disseminate to their LEAs and schools memoranda, guidance documents, notices, or letters summarizing the new and existing EHCY program requirements and to share with them guidance provided by the Department. In doing so, we encourage States to use all available technology, such as email notices, listserves, the SEA Web site, Statewide hotlines, and teleconferencing. Additional State activities that may assist LEAs in implementing the law include:

#### **(1) Hosting Statewide Trainings and Orientations, Especially for New LEA Liaisons**

States can implement a system to ensure that every LEA liaison receives annual professional development on the provisions in the McKinney-Vento Act and good practices for implementation. States should require LEAs to notify the State Coordinator whenever a new LEA liaison is appointed so that the State Coordinator can provide or arrange small group or individually customized orientations with resources and support to equip new liaisons to fulfill their role effectively. Furthermore, the State Coordinator should ensure that all LEA liaisons receive ongoing information and professional development on challenging areas of implementation, including determining eligibility, determining best interest for school selection, and facilitating the dispute resolution process. States should investigate ways to assess LEA liaison competency and knowledge of LEA requirements and obligations under the McKinney-Vento Act. States may want to include other education personnel, as appropriate, in such training.

#### **(2) Disseminating Templates, Forms, and Policies**

States can provide sample forms, checklists, and other information on effective practices and procedures that may be implemented related to new and continuing statutory provisions under the EHCY program. SEAs can also provide samples of local Memoranda of Agreement that LEAs may utilize for coordination with local housing and social service agencies.

#### **(3) Hosting and Encouraging Meetings and Convenings**

States should provide networking opportunities for LEA liaisons through venues such as State or regional meetings, including homeless education strands of statewide Federal education or vulnerable student programs, as well as periodic conference calls or online meetings such as Webinars. These opportunities can provide LEA liaisons with direct access to and collaboration with the State Coordinator, colleagues in other LEAs, and useful resources. These may also provide opportunities to connect to and coordinate with contacts at other homeless-serving agencies and local programs.

### **V. Guidelines for Reviewing and Revising State Policies and Procedures**

Section 722(g)(1)(I) requires, in the State Plan, a demonstration that the State educational agency and local educational agencies in the State have developed, and shall review and revise, policies to remove barriers to the identification of homeless children and youths, and the enrollment and retention of homeless children and youths in schools in the State, including barriers to enrollment and retention due to outstanding fees or fines, or absences. The following are examples of effective ways in which a State may review and revise State policies and procedures that may present barriers to the identification, enrollment, attendance, and success in school of homeless children and youths:

### **(1) Convening a Statewide Advisory Committee To Review State Policies and Procedures**

An SEA may form a broad-based committee of experts and stakeholders to review relevant State policies and procedures affecting homeless children and youths and provide input on changes that may be needed. Such a committee could include representatives of the State coordinator's office; other SEA officials, including transportation officials; representatives from other State agencies, including public health and social services agencies; LEA officials, including LEA liaisons; legislative staff; homeless families and youths; and advocacy groups. The committee should review State laws, rules, regulations, letters, memoranda, and guidance documents to ensure that the State's policies comply with the requirements of the McKinney-Vento Act. The committee should pay particular attention to issues concerning transportation policies; student records and record-transfer requirements; enrollment of unaccompanied youths, including guardianship requirements; procedures for resolving enrollment disputes; and barriers resulting from school-related fees or school uniform policies.

### **(2) Soliciting Public Comment**

A State may use a public comment process to solicit input on policies and procedures that should be revised to remove barriers to homeless children and youths' identification, enrollment, attendance, and school success. This process can include public hearings and meetings as well as the online submission of comments. This process could include sharing and analyzing existing EHCY data and conducting a survey of LEA liaisons and homeless youth and families. The SEA should engage specific stakeholder groups, including homeless children and youths and their families, to encourage them to provide comment. This process can be reopened biennially or annually as a request for information.

### **(3) Consulting With the Federal EHCY Program Office's Technical Assistance Contractor, the National Center for Homeless Education (NCHE), and Participating in Facilitated Peer Workgroups**

The Federal EHCY program office and NCHE will work with State coordinators to disseminate information on innovative policies and approaches to implementation from across the country so that State Coordinators can learn from each other to improve statewide policy and practice. States may convene and/or join ad-hoc topical workgroups or a regular community of practice, as well as access more general Webinars and written advice, for crafting comprehensive State plans. NCHE will also facilitate the peer review of State plans and create ways to disseminate exemplary policies and practices after plans have been approved by the Department.

### **(4) Ensuring Sufficient Capacity in its Office of the Coordinator**

Ensuring the Office of the Coordinator has sufficient capacity is critical to facilitating an effective review of policies and procedures. This review is essential for (1) developing State plans, (2) providing for the professional development of LEA liaisons, and (3) providing for technical assistance to LEA liaisons. Beyond the development of the State plan, the Office of the Coordinator should be able to analyze LEA data on enrollment or other demographic information for patterns of possible under-identification of homeless children and youths or subgroups across the State. Such under-identification may necessitate the revision of policies and procedures.

As previously communicated by the Department in 2014 and 2015, for FY 2016 and FY 2017, the Office of the Coordinator should have the capacity to create annual work plans with measurable goals to improve identification, enrollment, attendance, achievement, and graduation for homeless students. Creating such annual work plans and setting measureable goals are elements included in the Federal EHCY program logic model. These elements are also part of the program leading indicators developed in 2014, with baseline implementation beginning in FY 2015 and further technical assistance coming from NCHE. Engagement in these activities affords the Office of the Coordinator an opportunity to revisit and revise, as appropriate, policies and procedures.

## **VI. Future Guidance**

In light of the amendments to the McKinney-Vento Act under the ESSA, the USDE is in the process of reviewing current guidance on the EHCY program and anticipates issuing updated guidance at a future date. General guidance, an email address to submit questions, and other information on ESSA is available online at: [www.ed.gov/ESSA](http://www.ed.gov/ESSA).

### **Program Authority:**

Subtitle B of title VII of the McKinney-Vento Homeless Assistance Act, as amended by the Every Student Succeeds Act (Pub. L. 114-95).